

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4484 of 2025

ORDER:

This criminal petition is filed by the petitioner/A1 under Sections 480 and 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS) to enlarge him on bail in Crime No.207 of 2025 of Uppal Police Station, Hyderabad, registered for the offence punishable under Sections 108 and 351(2) of BNS.

2. The case of the prosecution is that the complainant got married to Mamta Kanwar, and they were blessed with two children. In 2018, during their daughter's first birthday photoshoot, a photographer, i.e., the petitioner visited the complainant's family for photoshoot. Over time, he became acquainted with them and developed a close friendship with the family. At some point, petitioner expressed his desire for the complainant's wife to stay with him, but she refused. On 11.02.2025, at around 16:30 hours, while the complainant was not at home, petitioner came to their house. At that time, the complainant's children were also at home. His wife confronted the

petitioner and he coerced the complainant's wife into consuming alcohol and threatened to reveal personal matters, if she did not comply with his demands. He also threatened the children, warning them not to disclose anything. Later that night, petitioner pressured the complainant's wife into engaging in physical intercourse with him. Unable to bear the mental agony and harassment, she committed suicide by hanging herself from the ceiling fan using saree in the bedroom. On 12.02.2025, at about 06:00 hours, petitioner untied the saree and brought her down with the help of the complainant's son and placed her on the bed. The complainant's son later woke him up and explained what had happened, upon learning the details, the complainant alleged that petitioner had been harassing his wife both physically and mentally, leading to her suicide. He believes she took this extreme step to protect her honor from being tarnished. Basing on the same, a case was registered in Crime No.207 of 2025.

3. Heard Ms. M. Preethi, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

4. Learned counsel for the petitioner submits that the petitioner has not committed the offence and he was falsely implicated in the present crime. She further submits that the petitioner has not instigated the deceased to commit suicide. The marriage of the petitioner with the deceased was performed 15 years back and the petitioner was arrested on 13.02.2025 and since he was in jail. She further submitted that entire investigation is completed and petitioner is ready to cooperate with the investigation and also ready to abide by the conditions, which are going to be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence and that investigation is under progress. As on date, 16 witnesses were already examined. Therefore, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 13.02.2025 and since then he is in judicial custody and according to the learned Additional Public Prosecutor, 16 witnesses were already examined and material part of investigation and that the petitioner is not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner on the following conditions:

(1) The petitioner/A1 is enlarged on bail on executing personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousands only) with two sureties for a like sum each to the satisfaction of the Principal District and Sessions Judge, Medchal Malkajgiri District at Medchal Malkajgiri.

(2) The petitioner/A1 shall appear before the concerned SHO at 11:00 A.M. on every Monday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter as and when required.

(3) The petitioner/A1 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

8. Accordingly, the criminal petition is allowed.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 04.04.2025
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