

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4642 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to, as 'BNSS') seeking bail to the petitioners/accused No.1 in Crime No.338 of 2025 of P.S. Jawaharnagar, Medchal-Malkajgiri District, registered for the offence under Section 108 of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The brief facts of the case are that on 17.03.2025, the complainant lodged a complaint stating that the petitioner and his mother, who are brother-in-law and mother-in-law of the deceased used to harass the deceased physically and mentally over financial matters and due to unbearable harassment, the deceased committed suicide by jumping into Dammaiguda lake, leaving behind a suicide note. Basing on the same, Crime No.338 of 2025 was registered.

3. Heard Mr.Sankalp Pissay, learned counsel for the petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner was falsely implicated in the present crime and he did not commit any offence. He further submitted that even according to the allegations made in the complaint, the ingredients of Section 108 of BNS are not attracted against the petitioner and the petitioner never harassed the deceased and not insisted the deceased to commit suicide. He further submitted that the petitioner was arrested on 17.03.2025 and since then he was in judicial custody and the material part of the investigation is completed. He further submitted that similar allegations are levelled against accused No.2 in the said crime, as they were against petitioner/accused No.1 and she approached the Sessions Court and filed Crl.M.P.No.138 of 2025 and the II Additional District and Sessions Judge-cum-I Metropolitan Sessions Judge, Medchal-Malkajgiri District at Medchal granted bail to her on 04.04.2025 and the petitioner is also entitled for grant of bail. He further submitted that the petitioner is ready to abide by the conditions, which are going to be imposed by this Court and he will cooperate with the investigation. Hence, the petitioner may be enlarged on bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner has committed grave and the investigation is under

progress. At this stage, if the petitioner is granted bail, he will interfere with the investigation and influence the witness. Hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 17.03.2025 and since then he is in judicial custody and accused No.2 was enlarged on bail. Even according to the learned Additional Public Prosecutor, 10 witnesses were already examined.

7. Taking into consideration the said facts, this Court is inclined to grant bail to the petitioner/accused No.1 subject to the following conditions.

(i) The petitioner/accused No.1 shall be released on bail on executing a personal bond for a sum of Rs.50,000/-(Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of the III Additional Junior Civil Judge-cum-X Additional Metropolitan Magistrate, Medchal-Malkajgiri District at Medchal.

(ii) On such release, the petitioner/accused No.1 shall appear the concerned S.H.O. at 11.00 a.m. on every Monday for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

(iii) After release, petitioner/accused No.1 shall not influence the witnesses or interfere with the investigation.

(iv) The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C., presently Section 480(3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date: 10.04.2025

vsl