

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION NO. 5113 OF 2025

ORDER:

This Criminal Petition is filed by the petitioner/A2 seeking anticipatory bail under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS), in connection with Crime No.289 of 2025 on the file of Keesara Police Station, Rachakonda, registered for the offences punishable under Section 80 of BNS.

2. Heard Ms. P. Sree Ramya, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent.

3. The case of the prosecution is that the de-facto complainant lodged a complaint stating that he is having seven daughters and he performed his fifth daughter's marriage, namely Swathi, with one Suresh Babu, who is the son of the petitioner. During their wedlock, they were blessed with two daughters and thereafter disputes arose between them and that the said Suresh Babu used to assault his wife for having both female children and for not having male child. The petitioner instigated the said Suresh Babu through telephone to demand

money for construction of house and as such the said Suresh Babu harassed the daughter of the de-facto complainant. Vexed with the attitude of his son-in-law, his daughter Swathi committed suicide by hanging to fan with chunni. Basing on the said complaint, the present crime has been filed for the above said offence.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence and he was falsely implicated in the present crime. He further submits that even according to the allegations made in the complaint, the entire allegations are levelled against Accused No.1, who is the husband of the deceased, and there are no specific allegations against the petitioner to attract the ingredients of Section 80 of BNS. He further submits that subsequent to the marriage of the deceased and Accused No.1, they were living separately, whereas the petitioner is residing at Mancherial and neither he has demanded any additional dowry nor instigated Accused No.1 to harass the deceased to bring money. The petitioner is aged about 60 years and is suffering with old age ailments. Accused No.1 was already arrested and is in judicial custody. The petitioner is not having any criminal antecedents and that he is

ready and willing to cooperate with the investigation and also 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 investigation is under progress and at this stage, if the petitioner is granted anticipatory bail, he will influence the witnesses and interfere with the investigation. Hence, the petitioner is not entitled for grant of anticipatory bail.

6. Learned counsel for the petitioner by way of reply submits that the petitioner will not interfere with the investigation and will not influence the witnesses and that he will cooperate with the investigation.

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that basing on the complaint lodged by the de-facto complainant, the present crime has been registered and the major allegations are levelled against Accused No.1. Even according to the Additional Public Prosecutor 18 witnesses were already examined and the petitioner is not having any criminal antecedents.

8. Taking into consideration all the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(i) The petitioner/A2 is directed to surrender before the Station House Officer, Keesara Police Station, Rachakonda Commissionerate, Medchal-Malkajgiri District on or before 28.04.2025;

(ii) On such surrender, the Station House Officer of Keesara Police Station, Rachakonda Commissionerate, Medchal-Malkajgiri District, shall release the petitioner/A2 on bail on executing a personal bond for a sum of Rs.30,000/- (Rupees Thirty thousand only) with two sureties for a like sum each to the satisfaction of the said Officer;

(iii) On such release, the petitioner/A2 shall appear before the Station House Officer, Keesara Police Station, Rachakonda Commissionerate, Medchal-Malkajgiri District, on every Monday at 11:00 a.m., for a period of eight weeks for the purpose of investigation and thereafter, as and when required by the police for investigation.

(iv) The petitioner/A2 shall abide by the conditions stipulated under Section 438(2) of the Criminal Procedure Code, 1973/Section 482 of BNSS and shall cooperate with the investigation officer for conclusion of investigation.

9. Accordingly, the Criminal Petition is allowed.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date: 21.04.2025
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J.SREENIVAS RAO, J