

THE HONONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5330 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused No.1 in Crime No.209 of 2025 on the file of the P.S. Medipally, registered for the offences punishable under Sections 85 and 108 of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Section 3 of Dowry Prohibition Act, 1961 (for short 'the Act').

2. The case of prosecution in brief is that on 13.02.2025, the *de-facto* complainant gave a written report against petitioner/accused No.1 and accused No.2, who are husband and father-in-law of *de-facto* complainant, stating that they are insisting her to leave her job and harassing her in this matter and on 12.02.2025 her husband picked up quarrel with her and hence, she committed suicide. Basing on the same a case was registered in Crime No.209 of 2025.

3. Heard Mr.B.Akash Kumar, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that petitioner was falsely implicated in the said crime and he never harassed the *de-facto* complainant for additional dowry or instigated her to commit suicide. He further submitted that ingredients of offence under Sections 85 and 108 of BNS are not attracted against the petitioner. He further submitted that the petitioner was arrested on 15.02.2025 and since then he is in judicial custody. He further submitted that entire investigation in the case is completed, except filing of charge sheet and the petitioner is ready to cooperate with the investigation and also ready to abide the conditions, which are going to be imposed by this Court and hence, prayed for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner/accused No.1 has committed grave offence and the investigation is under progress and at this stage, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that petitioner was arrested on 15.02.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, petitioner is not having any other criminal antecedents and 17 witnesses were already examined.

7. Taking into consideration of the facts and circumstances of the case and submissions made by the respective parties, 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 execute 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 IV Additional Metropolitan Magistrate, Medchal Malkajgiri District at L.B.Nagar.

(ii) The petitioner/accused No.1 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.

iii) The petitioner/accused No.1 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 23.04.2025
vsl