

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5416 of 2025

ORDER:

This criminal petition is filed by the petitioners/A1 to A3 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) for grant of anticipatory bail to them in Crime No.69 of 2025 of Neckonda Police Station, Warangal District, registered for the offence punishable under Sections 292, 115(2) and 108 read with Section 356(3) of BNS.

2. The case of the prosecution is that on 20.03.2025 at 12.30 hours, the complainant lodged a complaint, wherein it is stated that the marriage of the victim and accused No.3 was performed on 27.02.2025 and on the date of incident, accused Nos.1 and 2 assuming that the complainant is saying bad things about their daughter/accused No.3 in the Thanda, came to the house of the complainant and picked up quarrel with the victim and the complainant, abused them in filthy language and beat the complainant with hands indiscriminately, as a result, the complainant received injury on her head.

Keeping in mind the above quarrel, the victim consumed gross poison. Basing on the said complaint, the present crime has been registered for the above said offences.

3. Heard Sri Veera Babu, learned counsel for the petitioners and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

4. Learned counsel for the petitioners submits that the petitioners have not committed the offence and they were falsely implicated in the present crime. Even according to the allegations made in the complaint, the ingredients under Section 108 of BNS are not applicable to the petitioners and the other allegations levelled against the petitioners are within the imprisonment of less than seven years. He further submits that the petitioners never instigated the deceased to commit suicide. The petitioners are doing agriculture and eking out their livelihood and they are not having any criminal antecedents and that they are ready and willing to cooperate with the investigation and also abide by the conditions that are going to be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioners have committed grave offence and the investigation is under progress. At this stage, if the petitioners are granted bail, there is every chance of influencing the witnesses and also interfering with the investigation.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that there are no specific allegations against the petitioners to attract the ingredients of Section 108 of BNS. According to the learned Additional Public Prosecutor, 11 witnesses were examined and that the petitioners are not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners/A1 to A3 on the following conditions:

- (1) The petitioners/A1 to A3 are directed to surrender before the Station House Officer, Neckonda Police Station, Warangal District on or before 30.04.2025.

(2) On such surrender, the Station House Officer shall release the petitioners on bail on their executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties for a like sum each to the satisfaction of the said officer.

(3) On such release, the petitioners/A1 to A3 shall appear before the Station House Officer, Neckonda Police Station, Warangal Reddy District on every Monday at 11:00 a.m., 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 for investigation.

(4) The petitioners/A1 to A3 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.

8. Accordingly, the criminal petition is allowed. No costs.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 24.04.2025
ES