

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5491 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused in Crime.No.111 of 2025 on the file of the P.S.Chinnakodur, Siddipet, registered for the offences punishable under Section 108 of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of prosecution in brief is on 11.04.2025, the complainant lodged a complaint stating that her husband took out some debts for family needs in which her son paid some of debts. Her husband is currently working as watchman in apartment and her son used to worry about the debts. Earlier when the complainant lift the chit, at that time petitioner said that he will sign as surety only if she give him amount Rs.60,000/-, and signed as surety. Then petitioner asked for rest of money repeatedly by abused her, wherever he met her, he asked for the money. On 10.04.2025 in the morning petitioner went to the house of

complainant and forcibly demanded the money, due to which complainant son left the house. On 11.04.2025 in the night he returned and slept in the house by locking the door. Early in the morning when the complainant went to his room and tried to open the door, it was locked from inside. As the complainant got suspicious and went outside of the house and saw her son from the window and found her son hanging to the fan with a chunni. Basing on the same a case was registered in Crime No.111 of 2025.

3. Heard Sri R.Chandrashekar Reddy, learned counsel for petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for petitioner submitted that petitioner has not committed alleged offence and he was falsely implicated in the above crime. He further submitted that even according to the allegations made in the complaint, complainant's husband has received the amount from the third parties, wherein the petitioner demanded the amount to pay to the third parties, the and the ingredients of Section 108 of BNS are not attracted against the petitioner. He further submitted that the 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 and hence, prayed for grant of anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner has committed grave offence, and investigation is under progress and if the petitioner/accused is granted anticipatory bail at this stage, he may tamper with the evidence and may threaten the witnesses, and hence, prayed to dismiss the petition.

6. By way of reply, learned counsel for the petitioner submitted that the petitioner will cooperate with the Investigating Officer as and when required and will also provide any information/ documents sought by him to conclude 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 there are financial disputes between the husband of the complainant and the third parties, wherein the petitioner stood as surety. Even according to the allegations made in the complaint, this Court is of the prima facie view that

ingredients of Section 108 of BNS are not attracted against the petitioner. Even according to the Additional Public Prosecutor, 5 witnesses were already examined.

8. Taking into consideration of the above facts, this Court is of the considered view that petitioner/accused is entitled for grant of anticipatory bail, subject to the following conditions:

1. The petitioner/accused shall surrender before the Station House Officer of P.S. Chinnakodur, Hyderabad on or before 03.05.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused on bail on his executing a personal bond for Rs.25,000/- (Rupees twenty five Thousand only) with two sureties, for the like sum each.
2. The petitioner/accused 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/accused shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.

9. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 28.04.2025
vsl