

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5552 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 No.2 in Crime No.61 of 2025 on the file of the Bonakal Police Station, Khammam, registered for the offences punishable under Section 85 and 108 r/w 3(5) of BNS.

2. The case of prosecution in brief is that on 15.03.2025, the mother of the deceased lodged a complaint stating that due to unbearable harassment of the accused for additional dowry, her daughter committed suicide by hanging. Basing on the said complaint, Crime No.61 of 2025 was registered.

3. Heard Mr.S.Syam Sunder Rao, 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 the entire allegations are levelled against accused No.1 only and the petitioner never instigated the deceased to commit suicide and there are no allegations against the petitioner to attract the ingredients of Section 108 of BNS and the imprisonment prescribed for the other offences is below seven years. He further submitted that the petitioner is housewife and aged about 50 years and she is not having any other criminal antecedents. He further submitted that the petitioner is ready to cooperate with the investigation and also 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 the investigation is under progress and charge sheet is not yet filed and at this stage if the petitioner is enlarged on anticipatory bail, there is every chance to interfere with the investigation and also 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 there are no specific allegations against the petitioner to attract the ingredients of Section 108 of BNS. The record further discloses that the petitioner is housewife and aged about 50 years. Even according to the learned Additional Public Prosecutor, 14 witnesses were already examined and the petitioner is not having any other criminal antecedents.

7. Taking into consideration the said facts, this Court is inclined to grant anticipatory bail to the petitioner/accused No.2 subject to the following conditions.

1. The petitioner/accused No.2 shall surrender before the Station House Officer of P.S.Bonakal, Khammam, on or before 05.05.2025, 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. After release, petitioner/accused No.2 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. After release, the petitioner/accused No.2 shall not influence the witnesses or interfere with the investigation.
 4. The petitioner/accused No.2 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.
8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 30.04.2025
vsl