

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5563 of 2025

ORDER:

This criminal petition is filed by the petitioners/A1 to A3 under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) seeking regular bail in Crime No.44 of 2025 on the file of Gudimalkapur Police Station, Hyderabad District, registered for the offence punishable under Section 80(2) of BNS.

2. The case of the prosecution is that on 07.03.2025, at 0900 hours, the de-facto complainant filed a complaint wherein it is stated that after the demise of his elder brother, since his daughter, namely Vadde Nandini wants to work at Hyderabad, he brought her to his house at Film Nagar, Hyderabad, and as she was working as a waiter at McDonald's, Shaikpet Branch, he arranged her stay at Ramya Reddy Hostel, Shaikpet. During her working at the said McDonald, she and one Satish Kumar fell in love and got married on 25.08.2024 and were living together in a room. Later, the mother and sister of the said Satish

Kumar informed the de-facto complainant that if they pay Rs.10 lakhs as dowry, they will take Nandini to their house. When Nandini expressed her distress when she met Satish Kumar, he also said that if they pay Rs.10 lakhs as dowry, he will take back her to house. On 07.03.2025 at 07:30 a.m., on receiving phone call, the de-facto complainant went to the hostel of Nandini where she hanged to the ceiling hook and committed suicide. Basing on the same, the present crime was registered.

3. Heard Sri V. Raghunath, learned Senior Counsel representing Sri Chandra Sekhar, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

4. Learned Senior Counsel for the petitioner vehemently contended 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, except the allegations under Section 108 of BNS, the other allegations levelled against the petitioners are punishable with an imprisonment of less than seven

years. He further submits that petitioner No.1/accused No.1 and the deceased are known to each other while working and they fell in love and got married on 25.08.2024 and petitioner Nos.2 and 3/accused Nos.2 and 3 never harassed the deceased physically or mentally or for dowry and that the petitioners never instigated the deceased to commit suicide. Therefore, the ingredients of Section 108 of BNS do not attract against the petitioners. He further submits that the petitioners were arrested on 11.03.2025 and since then they were in judicial custody and that the entire investigation is completed except filing of charge sheet. The petitioners 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. There are specific allegations against the petitioners to attract the ingredients of Section 108 of BNS. At this stage, if the petitioners are enlarged on bail, they will interfere with the investigation

and also influence the witnesses. Therefore, the petitioners are not entitled for grant of bail.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that petitioner No.1/accused No.1 married the deceased on 25.08.2024 and it is a love marriage. The de-facto complainant has not made any complaint that the petitioners demanded for additional dowry at any point of time. However, the deceased committed suicide on 07.03.2025. There are specific allegations against petitioner No.1/accused No.1. Taking into consideration the facts and circumstances of the case and that the investigation is under progress, this Court is not inclined to grant bail in favour of petitioner No.1/accused No.1.

7. Insofar as petitioner Nos.2 and 3/accused Nos.2 and 3 are concerned, there is no allegation against them that they instigated the deceased to commit suicide. The record further reveals that petitioner No.2/accused No.2 is a woman eking out her livelihood by doing labour work and

petitioner No.3/accused No.3 is a Driver and eking out his livelihood. Even according to the learned Additional Public Prosecutor, they are not having any criminal antecedents. Hence, this court is inclined to grant bail to petitioner Nos.2 and 3/accused Nos.2 and 3 on the following conditions:

- (1) Petitioner Nos.2 and 3/accused Nos.2 and 3 are enlarged on bail on executing a personal bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties for a like sum each to the satisfaction of the XVI Additional Chief Judicial Magistrate, Hyderabad.
- (2) Petitioner Nos.2 and 3/accused Nos.2 and 3 shall appear before the concerned SHO 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.
- (3) Petitioner Nos.2 and 3/accused Nos.2 and 3 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

8. Accordingly, the criminal petition is allowed in respect of petitioner Nos.2 and 3/accused Nos.2 and 3. Insofar as petitioner No.1/accused No.1 is concerned, the criminal petition stands dismissed.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 29.04.2025
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