

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5720 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.1 in Crime No.104 of 2025 on the file of the P.S.Mahabubabad Town, Mahabubabad District, registered for the offences punishable under Section Sections 85 and 80(2) of BNS and Sections 3 and 4 of DP Act.

2. The case of the prosecution is that on 21.03.2025, the father of the complainant lodged a complaint, stating that the deceased marriage was performed with petitioner 6 years ago and during their conjugal life they blessed with two children, since 6 months his daughter/deceased feeling loneliness, shouted on her children, in this regard on 19.03.2025 she has shouted on her children, then her nephew admonished to his daughter to change her attitude and she had kept that on mind and on 20.03.2025 at about 10:00 hours while his son-in-law/petitioner went to attend his regular duties, his

daughter committed suicide by hanging with chunny. Basing on the same a case was registered in Crime No.104 of 2025.

3. Heard Mr.Srikanth Chintala, 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 marriage of the deceased and petitioner was performed 6 years back and since then they were living together and they were blessed with two children. He further submitted that the petitioner never harassed the deceased or demanded for additional dowry, at any point of time. He further submitted that the deceased committed suicide due to physiological problem and the father of the deceased lodged a complaint on 21.03.2025, stating that he has no suspicion against the petitioner, and based on the same, the police registered the present crime. He further submitted that initially police registered the crime for the offence under Section 194 of BNSS on 21.03.2025 and after lapse of 20 days, basing on the statement of

the complaint, on 13.04.2025, the Police altered Section 194 of BNSS into Sections 85 and 80(2) of BNS and Sections 3 and 4 of DP Act. He further submitted that the petitioner is eking out his livelihood through a private job, and the children are presently residing with him, and no one is there to take care of their welfare. He further submitted that the petitioner is not having any other criminal antecedents and he is ready and willing 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 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 the marriage of the petitioner and deceased was

performed 6 years back and the father of the complainant lodged a complaint on 21.03.2025, stating that he has no suspicion against the petitioner and after lapse of 20 days, basing on his statement only, Police altered Section 194 of BNSS into Sections 85 and 80(2) of BNS and Sections 3 and 4 of DP Act. Even according to the learned Additional Public Prosecutor, 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.1 subject to the following conditions.

1. The petitioner/accused No.1 shall surrender before the Station House Officer of P.S.Mahabubabad Town, Mahabubabad District, on or before 06.05.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.1 on bail on his executing a personal bond for Rs.30,000/- (Rupees thirty Thousand only) with two sureties, for the like sum each.
2. After release, 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.

3. After release, the petitioner/accused No.1 shall not influence the witnesses or interfere with the investigation.
 4. The petitioner/accused No.1 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: 01.05.2025
vsl