

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5852 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused No.7 in Crime No.386 of 2025 on the file of the P.S.Saroornagar, Rachakonda registered for the offences punishable under Sections 69, 108 of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 2015 (for short 'the SCs' & STs' (POA) Act').

2. The case of prosecution is that the de-facto complainant has two children, a daughter named Dharmarapu Mallishwari, a 26-year-old Staff Nurse at NIMS Hospital, and a son. Mallishwari had been in a six-year relationship with Jana Reddy, a man from their village, and the family agreed to their marriage. However, six months ago, Mallishwari revealed that Jana Reddy had refused to marry her, despite their physical relationship. He

promised to marry her later but kept delaying. One month ago, Mallishwari informed her mother that Jana Reddy had betrayed her by marrying another woman, citing her Scheduled Caste status as the reason. He also insulted her and warned her not to contact him again. Ten days before the incident, Mallishwari was left at her hostel, with the family planning to convince Jana Reddy's family. On 14.04.2025, Mallishwari was found unconscious in the hostel bathroom and was declared dead at Osmania Hospital. Basing on the same, a case was registered in Crime No.386 of 2025.

3. Heard Sri R.Giri Kumar, learned counsel for the petitioner and Sri Arun Kumar Doddla, learned Additional Public Prosecutor for the respondent No.1-State.

4. Learned counsel for the petitioner submitted that petitioner has not committed the alleged offence and he was falsely implicated in the above crime. He further submitted that even according to the allegations made in the complaint, the ingredients of the alleged offences are not attracted against the petitioner. He further submitted that the petitioner never instigated or provoked the deceased to commit suicide. 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/accused No.7 has committed grave offence and investigation is under progress and if the petitioner/accused No.7 is granted anticipatory bail at this stage, he will influence the witnesses, and 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 leveled against the petitioner/accused No.7 that he instigated the deceased to commit suicide. The entire allegations leveled are against the other accused. 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.7 subject to the following conditions.

1. The petitioner/accused No.7 shall surrender before the Station House Officer of P.S.Saroornagar, Rachakonda, on or before 13.05.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.7 on bail on his executing a personal bond for Rs.30,000/- (Rupees thirty thousand) with two sureties, for the like sum each.
 2. After release, the petitioner/accused No.7 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.7 shall not influence the witnesses or interfere with the investigation.
 4. The petitioner/accused No.7 shall abide by the other conditions stipulated in Section 482 (2) of the BNSS 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: 07.05.2025
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