

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.5870 of 2025

Order:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2024 (for short 'BNSS') seeking bail to the petitioner/accused in Crime No.247 of 2025 on the file of the Chaitanyapuri Police Station, Rachakonda Commissionerate, registered for the offence punishable under Section 108 of BNS.

2. The case of the prosecution is that on 08.03.2025 at 11:30 hours police received a complaint from Sri Beemagani Krishnaiah in which he stated that 25 years ago complainant has got married to a woman by name Manemma and they blessed with two daughters and a son and his elder daughter married to Malka Gopikrishna and his younger daughter also staying along with them at Chaitanyapuri from the past 10 months and she occasionally go to their hometown and return again and for the last six months, his daughter told him that accused from their village has been harassing her daughter to

love him and who already got married to someone and she said no to accused, but wherever she goes, he follows her and harasses her and she also stated to her father that she removed her mobile because of his torcher and on 07.03.2025 at about 22:00 hours his younger daughter called him and said that the accused is harassing daily to love him and also she is very scared of him and on 08.03.2025 complainant's son-in-law called him at about 08:30 hours and said that he, his wife and his younger daughter, they all had dinner together at last night and went to bed at 22:30 hours in their rooms and at morning 08:00 hours when his younger daughter did not come out of the room, he went to the room and saw that the door was locked from inside and also no matter how long he called his younger daughter, the door did not open and with the help of the neighbours, he broke open the door and when he saw in the room, she had hanged herself with a saree to the fan and died and the same was informed to the complainant and immediately he came to Chaitanyapuri and the complainant

also stated that he is suspicious on the accused behind his daughter Baifgout's death. Hence the FIR.

3. Heard Mr. Rapolu Bhaskar, learned counsel for the petitioner/accused and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner was falsely implicated in the present crime. There are no specific allegations against the petitioner to attract the ingredients under Section 108 of BNS. He further submitted that the petitioner never instigated or provoked the deceased to commit suicide. Hence, the ingredients under Section 108 of BNS are not against the petitioner. The petitioner was arrested on 08.03.2025 and since then he was in judicial custody. The petitioner is a private employee working as a driver and eking out his livelihood. He further submitted that the petitioner is not having any criminal antecedents and he is ready to cooperate with the investigation and also abide by the

conditions as may be imposed by this Court and prayed for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed grave offence and the investigation is under progress and at this stage, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the learned counsel for the parties and on perusal of the material available on record, it reveals that petitioner was arrested on 08.03.2025 and since then, he was in judicial custody. Even according to the learned Additional Public Prosecutor 5 witnesses were already examined and the petitioner is not having any criminal antecedents. Learned counsel for the petitioner raised a specific contention that there are no specific allegation against the petitioner to attract the ingredients under Section 108 of BNS.

7. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused, subject to the following conditions:

- (i) The petitioner/accused shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties (one local surety) for a like sum each to the satisfaction of IV Additional Metropolitan Magistrate-cum-IV Additional Junior Civil Judge at L.B.Nagar.
- (ii) On such release, the petitioner/accused shall appear before the concerned Station House Officer 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.
- iii) The petitioner/accused shall abide by the conditions stipulated in Section 483 (3) of BNSS.
- (iv) After release, if the petitioner/accused involves in similar offence, the bail granted by this Court shall be cancelled.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

Date: 02.05.2025
pss

J.SREENIVAS RAO, J

::6::

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.5870 of 2025

Date: 02.05.2025
pss