

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5974 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.91 of 2025 on the file of the Tadvai Police Station, Mulugu District, registered for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of prosecution in brief is that on 16.04.2025, the mother of the deceased lodged a complaint stating that her son, who had migrated to Hyderabad for work, returned to Katapur on 10.04.2025. On the night of 15.04.2025, she found that her son hanged himself to a stick with the help of a saree in the hut located beside her house. After removing the saree she found that her son was died and the accused persons are responsible for death of her son. Hence the complaint.

3. Heard Mr.P.Vishnuvardhana Reddy, learned counsel for petitioner and Mr.Arun Kumar Dodla, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for petitioner submitted that the petitioner has not committed alleged offence and he was falsely implicated in the present case. He further submitted that at no point of time, the petitioner instigated or provoked the deceased to commit suicide and the ingredients of Section 108 of the BNS are not attracted against the petitioner. 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 charge sheet is not yet filed. At this stage, if the petitioner is enlarged on anticipatory bail, there is every chance to interfere with the investigation and also influence the witnesses. 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 including complaint, it reveals that there are no specific allegations against the petitioner in the complaint to attract the ingredients of Section 108 of the BNS. Even according to the learned Additional Public Prosecutor, 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.1 subject to the following conditions.

1. The petitioner/accused No.1 shall surrender before the Station House Officer of Tadvai Police Station, Mulugu District, on or before 13.05.2025, 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 to his satisfaction.
2. After release, 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) 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
vsl