

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6044 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to petitioners/accused Nos.1 to 3 in Crime No.99 of 2024 on the file of the P.S. Attapur, Cyberabad Commissionerate, registered for the offences punishable under Sections 306 of the Indian Penal Code, 1860 (for short IPC).

2. The case of prosecution is that on 10.02.2024 at around 12:30 hrs, the Attapur Police Station, Cyberabad, received a complaint from the *defacto* complainant, who is the brother of the deceased. According to the complaint, Pradeep Kumar had been residing in Japan for the past nine years. On 08.06.2023, he married Petitioner No.1/accused No.1 without the consent of their family members. The complainant alleged that Pradeep Kumar returned to India due to harassment by his wife, but later went back to Japan. Following this, it is alleged that Petitioners/accused Nos.1 to 3 subjected him to continuous harassment, demanding money,

and pressuring him to divorce Petitioner No.1/accused No.1. Additionally, Petitioner Nos.2 and 3/accused Nos.2 and 3 allegedly threatened the deceased that they would arrange a second marriage for Petitioner No.1/accused No.1 if he did not comply. Distressed by these acts of the petitioners, the deceased is said to have fallen into depression and then committed suicide on 27.01.2024. Basing on the same, a case was registered in Crime No.99 of 2024.

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

4. Learned counsel for the petitioners submitted that basing on the complaint lodged by the *de facto* complainant, SHO Attapur Police Station has registered a case against the petitioners under Section 174 Cr.P.C. Subsequently, the section of law was altered into 306 IPC. He further submitted that petitioner No.1/accused No.1 is the wife of the deceased and petitioner Nos.2 and 3/accused Nos.2 and 3 are parents of petitioner No.1/accused No.1 and at no point of time, they instigated or provoked the deceased to commit suicide. He further submitted that the ingredients under Section

306 of IPC are not attracted against the petitioners. He further submitted that petitioner Nos.1 and 3/accused Nos.1 and 3 are women and they are homemakers and petitioner No.2/accused No.2 is Assistant Sub-Inspector of Police. He further submitted that the petitioners are not having any criminal antecedents 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*, the learned Additional Public Prosecutor submitted that the petitioners have committed a grave offence and investigation is under progress. At this stage, if the petitioners are 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 basing on the complaint lodged by the brother of the deceased (*defacto* complainant), a crime was registered against the petitioners under Section 174 Cr.P.C. and later, the section of law

was altered into 306 IPC. Even according to the averments made in the complaint, this Court is of the view that there are no specific allegations against the petitioners that they instigated or provoked the deceased to commit suicide and there are no specific allegations to attract the ingredients under Section 306 IPC. Even according to the learned Additional Public Prosecutor, petitioners are not having any other criminal antecedents.

7. Taking into consideration the said facts, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos. 1 to 3 subject to the following conditions.

1. The petitioners/accused Nos.1 to 3 shall surrender before the P.S. Attapur, Cyberabad Commissionerate, on or before 13.05.2025, and on such surrender, the said Station House Officer shall release the petitioners/accused Nos.1 to 3 on bail on their executing a personal bond for Rs.25,000/- each (Rupees twenty five thousand only) with two sureties, for the like sum each.
2. After release, the petitioners/accused Nos.1 to 3 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 petitioners/accused Nos.1 to 3 shall not influence the witnesses or interfere with the investigation.
 4. The petitioners/accused Nos.1 to 3 shall abide by the other conditions stipulated in Section 482 (2) of the BNSS, 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: 07.05.2025
vsl/sa