

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.6294 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 petitioners/accused Nos.1 and 2 in Crime No.241 of 2025 on the file of the Saroor Nagar Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 80(2) read with 3(5) of BNS.

2. The case of the prosecution is that on 05.03.2025 at 22:00 hours, the complainant lodged a complaint in which she stated that she has three daughters and one son. Her younger daughter's marriage was solemnized with accused No.1. In the presence of elders, at the time of marriage, given 10.5 lakhs of net cash, (15) tulas of gold as dowry, after the marriage, her son-in-law lived happily for three months, then her son-in-law started harassing her daughter to bring additional dowry of Rs. 5 lakhs, and also threatened that he will kill her with knife. As such the complainant brought her daughter to their home,

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since two years, her daughter was staying in a rented room at Kamalanagar. Dilsukhnagar along with Kiran (son of the complainant) and preparing for competitive exams i.e., Group-I & II. Then her son-in-law made phone call to her elder daughter and also warned that he will defame Barkam Kalyanai (younger daughter) and will paste posters in the village against her. On 05.03.2025 at 11:00 hours, her son went to a function at Chandrayangutta, at that time her daughter was at that rented house lonely, on which her younger daughter vexed on her life. Her son tried to the mobile phone of Kalyani and found it was switched off, then informed the same to house owner, the house owner went to that room at 19:00 hours, found that bed room door closed from inside, break opened the doors and found that her younger daughter committed suicide by hanging with a chunni, then they rushed to that room and found her younger daughter was hanging to the ceiling fan, in addition with found a suicide note on Air cooler besides to the dead body. As such the complainant requested for necessary action.

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3. Heard Mr. R.Ragham Vishal, learned counsel representing P.N.Dayakar, learned counsel for the petitioners and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners/accused Nos. 1 and 2 were falsely implicated in the present crime. He further submitted that the deceased and the petitioner/accused No.1 are wife and husband. Since last 2 ½ years, the deceased was residing in dilshuknagar and from last 2 ½ years deceased never resided with petitioner/accused No.1. He further submitted that petitioner/accused No.1 never demanded for any dowry and the ingredients under Section 80 of BNS are not attracted against the petitioners. In the complaint, only the de facto complainant made an allegation that the petitioners' family is only responsible for the death of the deceased. He further submitted that the petitioners were arrested on 03.04.2025 and since then they were in judicial custody. He further submitted that entire investigation is completed, except filing of the charge sheet.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioners have committed grave offence and due to the harassment made by the petitioners only the deceased committed suicide and the investigation is under progress and at this stage, the petitioners are 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 there are no specific allegations levelled against the petitioner/accused No.2, who is none other than the brother of petitioner/accused No.1. However, there are specific allegations against the petitioner/accused No.1 to attract the ingredients under Section 80(2) read with 3(5) of BNS. Petitioner No.2 was arrested on 03.04.2025 and since then he was in judicial custody. Even according to the learned Additional public Prosecutor petitioner/accused No.2 is not having any criminal antecedents.

7. Taking into consideration of the facts and circumstances of the case and the gravity of the offence and especially the

investigation is under progress, this Court is not inclined to grant bail to petitioner/accused No.1. Hence, the petition stands dismissed in respect of petitioner /accused No.1. As there are no specific allegations levelled against the petitioner/accused No.2, to attract the ingredients under Section 80(2) read with 3(5) of BNS, this Court is inclined to grant bail to petitioner/accused No.2 subject to the following conditions:

- (i) The petitioner/accused No.2 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 V Additional Judicial First Class Magistrate at L.B.Nagar, Ranga Reddy District.
- (ii) On such release, the petitioner/accused No.2 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 No.2 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

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(iv) After release, if the petitioner/accused No.2 involves in similar offence, the bail granted by this Court shall be cancelled.

8. Accordingly, the Criminal Petition is allowed in part.

Miscellaneous applications, pending if any, shall stand closed.

Date: 02.05.2025

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J.SREENIVAS RAO, J

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