

THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA

CRIMINAL PETITION No.6594 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 petitioners/accused Nos.2, 3 and 4 in Crime No.104 of 2025 on the file of the P.S.Mahabubabad Town, Mahabubabad District, registered for the offences punishable under Section 194 of BNSS and later the police altered into Sections 85 and 80(2) of BNS and Sections 3 and 4 of DP Act.

2. The case of the prosecution is that on 21.03.2025, the complainant lodged a complaint stating that his daughter/deceased marriage was performed with one Bhasker about six years ago and during their conjugal life they blessed with two children. It is stated that since six months his daughter/deceased feeling loneliness, shouted on her children, in this regard on 19.03.2025 she has shouted on her children, then her nephew admonished to his daughter to change her attitude and she had kept the same on mind and on 20.03.2025 at about 10:00 hours while his son-in-law went to attend his regular duties, his daughter committed suicide by hanging with chunny. Basing on the same a case was registered in Crime No.104 of 2025.

3. Heard Mr.Srikanth Chintala, learned counsel for petitioners and Sri V.Jithender Rao, learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for petitioners submitted that petitioners have not committed the alleged offence and they were falsely implicated in the above crime. He further submitted that the marriage of the deceased with one Bhasker was performed about six years back and since then they were living together and they were blessed with two children. He further submitted that the petitioners never harassed the deceased or demanded for additional dowry, at any point of time. He further submitted that the deceased committed suicide due to physiological problem. He further submitted that initially police registered the crime for the offence under Section 194 of BNSS on 21.03.2025 and after lapse of 20 days, basing on the statement of the complaint, dated 13.04.2025, altered Section 194 of BNSS into Sections 85 and 80(2) of BNS and Sections 3 and 4 of DP Act. He further submitted that the petitioners are not having any other criminal antecedents and they are 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 the petitioners have committed grave offences and the investigation is under progress and 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 the marriage of the deceased was performed about six years back and the father of the deceased lodged a complaint on 21.03.2025, stating that he has no suspicion against the petitioners and after lapse of 20 days, basing on his statement only, Police altered Section 194 of BNSS into Sections 85 and 80(2) of BNS and Sections 3 and 4 of DP Act. 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.2 to 4 subject to the following conditions.

1. The petitioners/accused Nos.2 to 4 shall surrender before the Station House Officer of P.S.Mahabubabad Town, Mahabubabad District, on or before

31.05.2025, and on such surrender, the said Station House Officer shall release the petitioners/accused Nos.2 to 4 on bail on their executing a personal bond for Rs.30,000/- (Rupees thirty Thousand only) each with two sureties, for the like sum each.

2. After release, the petitioners/accused Nos.2 to 4 shall appear before the said 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.2 to 4 shall not influence the witnesses or interfere with the investigation.
 4. The petitioners/accused Nos.2 to 4 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 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 NARSING RAO NANDIKONDA

Date: 21.05.2025
pns/dsv

THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA

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