

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.6645 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.2 under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking regular bail in connection with Crime No.673 of 2024 on the file of the Station House Officer, Subedari Police Station, Warangal, registered for the offence punishable under Section 108 r/w Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr. Prudvi Raj, learned counsel representing Mr. R.Mangulal, learned counsel for the petitioner/accused No.2 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 18.11.2024 at about 18:00 hours, the Station House Officer, Subedari Police Station, received a complaint from the complainant stating that

her husband (victim) left home on 13.11.2024 at 11:30 hours stating that he is going to Hyderabad and would return on Saturday, but he did not return on that day and failed to attend to her phone calls and on 18.11.2024 at 19:00 hours, she received a phone call from Mitra Residency/Lodge, Nakkalagutta, Hanumakonda, stating that her husband committed suicide in Room No.306 by hanging to ceiling fan and immediately she went there and found him dead. On the said date at late night, she noticed a message sent by her husband to her mobile at about 14.32 hours stating that the petitioner/accused No.2 and accused No.1 in the aforesaid crime are not paying amounts due to which he is going to die. Basing on the said complaint, the aforesaid Crime was registered against the petitioner/accused No.2 and other accused for the aforesaid offence.

4. Learned counsel for the petitioner/accused No.2 submits that the petitioner has not committed any offence and he was falsely implicated in the aforesaid crime. He further submits

that the victim received a huge amount of Rs.30 lakhs from the petitioner stating that he will send stock to Sri Sai Communications and Mithra Communications Mumbai and sent stock to a tune of only Rs.20 lakhs and utilized the remaining amount for his personal expenses. Though monetary disputes are pending, the petitioner has not instigated the victim to commit suicide and the ingredients of Section 18 of BNS are not attracted against the petitioner. He further submits that the petitioner was arrested on 05.05.2025 and since then, he is in judicial custody and the entire investigation is completed except filing of chargesheet and the petitioner is not having any criminal antecedents and prays to grant bail to the petitioner as he is ready and willing to cooperate with the investigating officer for investigation and abide by the conditions that may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence and the investigation is under progress and at this stage, if the

petitioner is granted bail, there is every chance of his influencing the witnesses and interfering with the investigation. Hence, he prays to dismiss this criminal petition.

6. Having heard learned counsel for the parties and on perusal of the material available on record, it reveals that there are monitory disputes between the petitioner and the victim. The petitioner was arrested on 05.05.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, sixteen witnesses were already examined and major portion of the investigation is completed and the petitioner is not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case and on perusal of the material available on record, this Court is inclined to grant bail to the 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.50,000/-(Rupees Fifty Thousand only) with two sureties for a like

sum each to the satisfaction of III Additional Judicial First Class Magistrate, Hanumakonda.

(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 not interfere with the investigation or influence the witnesses during the course of investigation.

(iv) The petitioner/accused No.2 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date: 11.06.2025
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J.SREENIVAS RAO, J