

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 6764 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioners/accused Nos.1, 2, 4 and 5 seeking anticipatory bail in the event of their arrest in Crime No.128 of 2023 of Medak Rural Police Station, Medak District, registered for the offences punishable under Sections 143, 147, 436 and 452 read with 149 of the Indian Penal Code, 1860 (IPC).

2. The case of prosecution in brief is that the *de facto* complainant lodged a complaint on 12.08.2023 at 13:00 hrs, stating that his daughter-in-law namely Katroath Sarala, aged about 36 years, consumed pesticide near their farm on 06.08.2023 and she was admitted in Gandhi Hospital, where she died while undergoing treatment on 09.08.2023. Following her death, on 11.08.2023, the petitioners and other accused arrived in a DCM vehicle at their village, entered his house and violently attacked and set fire to his house. Hence, the complaint.

3. Heard Mr. G. Manoj, 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 have not committed the alleged offences and they were falsely implicated in the present crime. Even according to the allegations made in the complaint, the ingredients of Section 436 of the IPC are not attracted against the petitioners and the punishment for the other offences is below seven years. He further submitted that accused Nos.6 to 8 were arrested and they were enlarged on bail. In this crime, entire investigation is completed except filing of the charge sheet. The petitioners are eking out their livelihood by doing agricultural work and they are not having any criminal antecedents. The petitioners are ready and willing to cooperate with the investigation and also comply with the conditions, which are going to be imposed by this Court. Hence, the petitioners may be granted anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the crime was registered in the year 2023 and

since then, the investigation is under progress. There are serious allegations levelled against the petitioners. At this stage, if the petitioners are granted anticipatory bail, they will interfere with the investigation and influence the witnesses. Hence, the petitioners are not entitled to seek anticipatory bail.

6. Having considered the rival submissions made by the respective parties and after perusal the material available on record, it reveals that the crime was registered on 12.08.2023. Even according to the learned Additional Public Prosecutor, accused Nos.6 to 8 were arrested and enlarged on bail in the year 2023 itself and so far twelve witnesses were examined and the petitioners are not having any criminal antecedents.

7. Taking into consideration the facts and circumstances case, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.1, 2, 4 and 5 with the following conditions:

- (i) The petitioners/accused Nos.1, 2, 4 and 5 are directed to surrender before the Station House Officer, Medial Rural Police Station, Medak District on or before 23.06.2025 and on such surrender,

they shall be enlarged on bail on their executing a personal bond for a sum of Rs.10,000/-(Rupees ten thousand only) each with two sureties for a like sum each.

(ii) On such release, the petitioners/accused Nos.1, 2, 4 and 5 shall appear before the Station House Officer, Medial Rural Police Station, Medak District, on every Monday at 11:00 a.m. for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier.

(iii) The petitioners/accused Nos.1, 2, 4 and 5 shall abide by the conditions stipulated under Section 482 (2) of the BNSS and shall cooperate with the Investigating Officer in the investigation.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 16.06.2025
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