

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.6852 of 2025

Order:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarika Suraksha Sanhita, 2023 (for short, 'BNSS') seeking anticipatory bail to the petitioner/accused in Crime No.119 of 2025 of Palakurthy Police Station, Jangaon District, registered for the offence punishable under Section 108 of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of prosecution in brief is that on 03.06.2025 at about 13:00 hours, the complainant lodged a complaint, stating that on 01.06.2025 at about 10:00 hours, a panchayat was held before the village elders in respect of a matrimonial dispute between his son and daughter-in-law and during the panchayat, the petitioner abused the complainant's son and threatened him with dire consequences and his son felt ashamed, left the home and went to Kushigutta at the outskirts of Palakurthy village and consumed poison and informed the same to the

complainant through phone. Immediately, they shifted his son to hospital but his son died while undergoing treatment. Basing on the said complaint, the present crime is registered against the petitioner for the aforesaid offences.

3. Heard Mr. G.Vasanth Rayudu, learned counsel representing Mr. Mettu Shankar, learned counsel for the petitioner/accused and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and he was falsely implicated in this case. Learned counsel further submits that as there was matrimonial dispute between the deceased and his wife, a panchayat was held on 01.06.2025 and the petitioner has not instigated the deceased to commit suicide and hence, the ingredients of Section 108 of BNS are not attracted against the petitioner. Learned counsel further submits that the petitioner is not having any criminal antecedents and he be granted anticipatory bail as he is ready and willing to cooperate with the

investigation and abide by the conditions as may be imposed by this Court.

5. On the other hand, learned Additional Public Prosecutor submitted that petitioner has committed grave offence and the investigation is at the threshold and at this stage if the petitioner is granted anticipatory bail, there is every chance of his influencing the witnesses and interfering with the investigation. 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 petitioner is none other than the co-brother of the deceased and that there are matrimonial disputes between the petitioner and his wife due to which panchayat was held before the elders on 01.06.2025. It is the specific contention of the petitioner that he has not instigated the deceased to commit suicide. Even according to the learned Additional Public Prosecutor, the petitioner is not having any criminal antecedents.

7. In view of the same, this Court is inclined to grant anticipatory bail to the petitioner/accused, subject to the following conditions:

- i. The petitioner/accused shall surrender before the Station House Officer, Palakurthy Police Station, Jangaon District, on or before 24.06.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused on bail on his executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, for a like sum each.
- ii. On such release, petitioner/accused shall appear before the Station House Officer, Palakurthy Police Station, 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, for the purpose of investigation, and thereafter, as and when required.
- iii. After release, the petitioner/accused shall not influence the witnesses or interfere with the investigation.
- iv. Petitioner/accused shall abide by the conditions stipulated under Section 482(2) of

BNSS and shall cooperate with the Investigating Officer in the investigation.

8. Accordingly, the Criminal Petition is allowed.

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

Date: 17.06.2025
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J.SREENIVAS RAO, J