

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.6870 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 No.2 in Crime No.81 of 2025 of Yedpally Police Station, Nizamabad District, registered for the offences punishable under Sections 78(1), 329(4), 115(2) and 108 r/w 3(5) of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of prosecution in brief is that on 16.04.2025, the complainant lodged a complaint at Yedapally Police Station to the effect that his sister- Errolla Anitha (deceased) was being harassed by the husband of the petitioner stating that he likes her and on 15.04.2025, when the deceased was alone at home, the husband of the petitioner came to the house of the deceased and on seeing the same, the petitioner came to the house of the deceased and abused the deceased stating that she

had some illegal affair with her husband and abused and beat the deceased in the public and on that night at about 9.45 p.m., the deceased committed suicide by hanging to ceiling fan. Based on the said complaint, the present crime was registered against the petitioner and other accused for the aforesaid offences.

3. Heard Mr. Praveen Kumar Veerjala, learned counsel for the petitioner/accused No.2 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 she was falsely implicated in this case. Learned counsel further submits that even according to the complaint, the entire allegations are levelled against accused No.1 and accused No.1 was already arrested and enlarged on bail on 18.06.2025 and the ingredients of Section 108 of BNS are not attracted against the petitioner and all other offences are punishable with imprisonment upto seven years only and petitioner is woman and eking out her

livelihood by doing agricultural work and she has small children and she is none other than the co-sister of the deceased and she has no criminal antecedents and she be granted anticipatory bail as she 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 specific allegations are levelled against the petitioner to attract the ingredients of Section 108 f BNS. Learned Additional Public Prosecutor has not disputed the fact that accused No.1, who is the husband of the petitioner, was already arrested and enlarged on bail on 18.06.2025 and that the petitioner is not having any criminal antecedents and 10 witnesses were already examined.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that the petitioner and the deceased are co-sisters and the petitioner has small children and she is doing

agricultural work and eking out her livelihood. Even according to the learned Additional Public Prosecutor, 10 witnesses were already examined and the petitioner has no criminal antecedents.

7. In view of the same, this Court is inclined to grant anticipatory bail to the petitioner/accused No.2, subject to the following conditions:

1. The petitioner/accused No.2 shall surrender before the Station House Officer, Yedpally Mandal Police Station, Nizamabad District, on or before 25.06.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.2 on bail on her executing a personal bond for Rs.30,000/- (Rupees Thirty Thousand only) with two sureties, for a like sum each.
2. On such release, petitioner/accused No.2 shall appear before the Station House Officer, Yedpally Mandal Police Station, Nizamabad 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, for the purpose of

investigation, and thereafter, as and when required.

3. After release, the petitioner/accused No.2 shall not influence the witnesses or interfere with the investigation.

4. Petitioner/accused No.2 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: 20.06.2025
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J.SREENIVAS RAO, J