

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 7324 of 2025

ORDER:

This Criminal Petition is filed under Section 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner/accused, seeking bail in Crime No.315 of 2025 of Shamshabad Police Station, Cyberabad Commissionerate for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023 (BNS).

2. Heard Sri Kuriti V.Prem Swami Naidu, learned counsel for the petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

3. The case of prosecution in brief is that Vembadi Jangaiah and Vembadi Anitha, who are parents and Vembadi Srinivas, who is uncle of the deceased girl, aged about 16 years, and the petitioner are residents of Peddatupra village. In the month of March, 2025 the deceased girl completed her 10th class at Government High School, Pedda Thupra Village, Shamshabad Mandal. From the past three months the accused harassed the deceased girl to accept his love but she did not accept it. The accused harassed Divya by calling her father's phone. Due to the

unbearable acts of accused, the deceased girl vexed over her life and decided to commit suicide, accordingly, on 16.05.2025 at night hours at about 23-00 hours to 24-00 hours she hanged herself with the help of red colour chunni to ceiling hook and died.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence and he was falsely implicated in the present crime. Even according to the allegations made in the complaint and remand case diary, the ingredients of Section 108 of BNS are not attracted against the petitioner. The petitioner is not aware about the deceased or *de-facto* complainant and merely basing on the statements of LWs.1 to 3, the police have implicated the petitioner in the present crime. The petitioner was arrested on 19.05.2025 and since then he is in judicial custody and he is not having any criminal antecedents. He further submits that the petitioner is doing private job and he is ready and willing to cooperate with the investigation and he will abide by the conditions, which may be imposed by this Court.

5. Learned Additional Public Prosecutor submitted that the petitioner has committed a grave offence and the investigation is under progress and therefore, if the petitioner is enlarged on bail, he will interfere with the investigation and influence the witnesses. Hence, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 19.05.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, the petitioner is not having criminal antecedents and ten witnesses were already examined.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused subject to the following conditions;

- (i) The petitioner/accused shall be enlarged on bail on his executing a personal bond for a sum of Rs.25,000/-(Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the XI Additional Metropolitan Magistrate, Cyberabad at Rajendranagar.
- (ii) After release, petitioner/accused shall appear before the concerned S.H.O. at 11-00 a.m. on every Saturday for a period of six weeks or till filing of charge sheet, whichever is earlier, for the purpose of investigation and thereafter, as and when required.
- iii) After release, if the petitioner/accused shall not interfere with the investigation or influence the witnesses and he shall not contact the *de-facto*

complainant and his family members in any manner.

- (iv) The petitioner/accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C., presently Section 480(3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

As a sequel thereto, miscellaneous applications, if any, pending in this petition stand closed.

JUSTICE J.SREENIVAS RAO

Date: 24.06.2025
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