

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.7809 of 2025

Order:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') seeking anticipatory bail to the petitioners/accused Nos.1 to 4 in Crime No.154 of 2025 of Bhadrachalam Police Station, Bhadrachalam District, registered for the offences punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The case of prosecution in brief is that on 21.06.2025 at about 14:00 hours, the complainant lodged a complaint, stating that her husband committed suicide by hanging himself in view of the harassment of the petitioners. Basing on the said complaint, the present crime is registered against the petitioners for the aforesaid offences.

3. Heard Mr. A.Prabhakar Rao, learned counsel for the petitioners/accused Nos.1 to 4 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent/State.

4. Learned counsel for the petitioners submitted that the petitioners have not committed any offence and they were falsely implicated in this case. Learned counsel further submits that the deceased was working as Business Development Manager in Kanaka Durga Chit Fund Company from 2019 to 2022 and the petitioners have joined as members/subscribers in the chit fund and the deceased used to collect monthly subscriptions from the petitioners and after expiry of the tenure of the chit, the petitioners requested the deceased to pay the chit amount but the deceased has not paid the chit amount and on the other hand, the chit fund office was closed. Learned counsel further submits that the petitioners never instigated or harassed the deceased to commit suicide and hence the ingredients of Section 108 of BNS are not attracted against them. Learned counsel for the submits

that even according to the allegations levelled in the complaint, prior to the alleged incident also, the petitioners harassed the deceased for payment of the chit amount and if it is so, neither the deceased nor the *de facto* complaint lodged any complaint. Learned counsel further submits that petitioners No.1, 2 and 4 are working as RMP doctors and eking out their livelihood and petitioner No.3 is doing agriculture and eking out his livelihood and none of them have any criminal antecedents and they be granted anticipatory bail as they are 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 the petitioners have committed grave offence and a specific allegation is made in the complaint that the deceased commit suicide in view of the instigation made by the petitioners and the investigation is in progress and at this stage, if the petitioners are granted anticipatory bail, they may tamper

with the evidence and influence the witnesses and hence, the petitioners are not entitled for grant of anticipatory bail.

6. Having considered the rival submissions made by learned counsel for the respective parties and after perusal of the material available on record, it reveals that the deceased worked as a Business Development Manager in Kanaka Durga Chit Funds from 2019 to 2022 and the petitioners joined as subscribers in the said chit fund company at the instance of the deceased and after expiry of the tenure period of the chit, the chit fund company failed to pay the chit amount to the petitioners and the petitioners requested the deceased for payment of the amounts. The specific contention of the learned counsel for the petitioners is that they never instigated or harassed the deceased to commit suicide and hence the ingredients of Section 108 of BNS are not attracted against them. Even according to the learned Additional Public Prosecutor, the petitioners are not having any criminal antecedents.

7. In view of the same, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.1 to 4, subject to the following conditions:

- i. The petitioners/accused Nos.1 to 4 shall surrender before the Station House Officer, Bhadrachalam Police Station, Bhadradi Kothagudem District on or before 09.07.2025, and on such surrender, the said Station House Officer shall release the petitioners/accused Nos.1 to 4 on bail on each of them executing personal bonds for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, for a like sum each.
- ii. On such release, the petitioners/accused Nos.1 to 4 shall appear before the Station House Officer, Bhadrachalam Police Station, Bhadradi Kothagudem District, on every Monday at 11:00 a.m. for a period of six (6) 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 petitioners/accused Nos.1 to 4 shall not influence the witnesses or interfere with the investigation.

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iv. Petitioners/accused Nos.1 to 4 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: 02.07.2025
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J.SREENIVAS RAO, J