

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.9952 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused No.2 in Crime No.443 of 2025 before the Khammam Rural Police Station, Khammam.

2. The brief facts of the case are that, on 16.07.2025, the *de facto* complainant lodged a report before the police stating that his son committed suicide by consuming poison due to the harassment and threats allegedly made by Accused Nos. 1 and 2. It is further alleged that the deceased had an acquaintance with a girl who is A1's daughter, and because of the actions of A1 and A2, he committed suicide. Accordingly, the complainant requested the police to take necessary legal action against the accused persons.

3. Basing on the said complaint, the police registered a case in Crime No.443 of 2025 on the file of the Khammam Rural Police Station, Khammam, for the offences punishable under 108 of the Bharatiya Nyaya Sanhita (BNS) against Accused persons.

4. Heard Mr. Bhoopathi Ranjith Kumar, learned counsel for petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for respondent State.

5. Learned counsel for the petitioner submitted that the petitioner is not connected with the offence. The incident happened on 03.07.2025, but the police report was filed only on 16.07.2025, showing a delay of 13 days. The petitioner, who is the wife of A1 and mother of the girl, along with A1, tried to make the deceased, Vignesh Chary, understand that he should not follow their daughter because she is a minor studying in 9th class. However, despite their warnings, the deceased did not stop following their daughter. As a result, the petitioner/A2 filed a complaint at Khammam I Town Police Station, and FIR No. 282 of 2025 was registered on 03.07.2025 for offences under Sections 78(2), 351(2) of BNS and Section 12 of the POCSO Act, 2012. Later, the deceased's maternal uncle assaulted A1 and caused serious injuries. They filed another report on 19.07.2025, registered as Crime No. 309 of 2025 under Sections 296(b), 115(2), and 351(2) of BNS. The learned counsel further submitted that the petitioner/A2 is entirely innocent and has no involvement in the commission of the alleged offence. It is contended that she did not abet, instigate, or participate in any manner in the offence. The allegations against

her are baseless and fabricated, and she has been falsely implicated in this case without any substantive evidence connecting her to the criminal act. Therefore, prayed this Court to grant pre-arrest bail to the petitioner by allowing this criminal petition.

6. On the other hand, the learned Additional Public Prosecutor vehemently opposed the submissions made by the learned counsel for the petitioner, contending that the allegations are serious, as the deceased committed suicide due to the harassment caused by A1 and A2. Therefore, the learned Additional Public Prosecutor prayed that this Court may be pleased to dismiss the present Criminal Petition.

7. Having regard to the rival submissions made and upon perusal of the material placed on record, the allegation against the petitioner is that she, along with A1, harassed the deceased, which allegedly led to his suicide. However, the record reveals that the petitioners had earlier lodged a report with the police, stating that the deceased was following their daughter, who is a minor. Further, after the death, the maternal uncle of the deceased assaulted A1, for which a separate case has been registered. The allegations against the petitioner include abetment to the commission of suicide.

8. Considering the submissions advanced by the learned counsel for the petitioner and taking into account the case records, and further noting that the petitioner is arrayed as Accused No. 2 and is a lady, this petition is allowed. In view of the facts and circumstances of the case, the petitioner is granted pre-arrest bail, subject to the following conditions:

- i. The petitioner/A2 shall surrender before the Station House Officer, Khammam Rural Police Station, Khammam, within two weeks from today, and on such surrender, the said Station House Officer shall release her on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner/A2 shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.
- iii. The petitioner/A2 shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., and thereafter, as and when required.

9. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 22.08.2025
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K. SUJANA, J

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