

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.10088 of 2025

ORAL ORDER:

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioner who is arrayed as accused in Crime No.548 of 2025 before the Miyapur Police Station, Cyberabad Commissionerate, registered for the offence punishable under Section 118(1) of BNS.

2. The case of the prosecution is that the De-facto Complainant, Kashivishwanath Routhu, lodged a complaint alleging that on 20-04-2025, his cousin Shiva Prasad was assaulted by Telluputi Praneeth Kumar following a quarrel involving a woman named Shobitha/petitioner, resulting in multiple injuries and internal bleeding. Shiva Prasad was admitted to Ramdev Rao Hospital, Kukatpally, underwent surgery, and was placed on a ventilator. Subsequently, he was shifted to Akshara Hospital, Khammam, where he succumbed to injuries on 23-06-2025. Upon re-examination, the police altered the charges to Sections 105 read with 49 of BNS and added the name of Petitioner/Accused No.2. It was alleged

that the deceased and Petitioner/A2, both employees of Axis Bank, had a physical relationship, and that the deceased had manipulated and blackmailed Petitioner/A2. On the day of the incident, Accused No.1 allegedly witnessed the deceased and Petitioner/A2 together, and upon being informed of the blackmail, assaulted the deceased with a small rokali. Petitioner/A2 also allegedly assaulted the deceased following humiliation. The deceased was initially treated at Ramdev Rao Hospital, later shifted to his sister's residence in Khammam, and continued treatment at Akshara Hospital until his death.

3. Heard Smt H.Vanitha Jain, learned counsel for petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor, appearing for respondent – State.

4. Learned counsel for petitioner submitted that the Petitioner is a law-abiding citizen belonging to a reputed family and has been falsely implicated in the present crime. She contended that the Petitioner had no role in the alleged incident and her name was not mentioned in the initial FIR registered under Section 118(1) of the BNS, which was subsequently altered to Sections 105 read with 49 of BNS

following the unfortunate demise of the deceased. She asserted that the Petitioner had previously ended her relationship with Accused No.1, who, along with his friend, unlawfully entered her residence on 20-04-2025, created a scene, and assaulted the deceased Shiva Prasad, who was her colleague at Axis Bank. She averred that the Petitioner, with great difficulty, intervened and later arranged for medical assistance, accompanying the deceased to Ramdev Rao Hospital and bearing the entire treatment expenditure of Rs.3,50,571/-, including Rs.2,95,571/- via online transaction and Rs.55,000/- in cash. She further averred that the deceased had a history of heart surgery, and despite medical advice to consult a cardiologist post-discharge, he neglected the same, which contributed to his demise two months later. Therefore, while advocating that the petitioner is innocent of the offences as alleged, she prayed this Court to allow the Criminal Petition, granting the relief of anticipatory bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor, vehemently opposed the submissions made by learned counsel for petitioner and submitted that there are

serious set of allegations against the petitioner, and averred that the statement of the deceased would also show the involvement of the petitioner for which her custodial interrogation is necessary. Therefore, prayed this Court to dismiss the Criminal Petition.

6. Having regard to the rival submissions made, on going through the material placed on record, it is noted that the statement of deceased victim would show that he had illicit relationship with petitioner and according to deceased, A1 is husband of petitioner, whereas, the petitioner denies the same stating that she is not wife of A1. Further, the statement of deceased victim shows that A1 bet him indiscriminately and last page would reveal she also bet him. Though the said statement was recorded on 20.04.2025, it is pertinent to note that this petitioner was not made accused in the month of April, and only after the death of deceased, the petitioner is made as accused. That apart, it is seen that material part of the investigation is done by prosecution. Therefore, considering the facts and circumstances of this case, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to compliance of the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Miyapur Police Station, Cyberabad Commissionerate, within two weeks from today, and on such surrender, the said Station House Officer shall release her on bail, on petitioner executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties, for the like sum each.
- ii. The petitioner 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 shall appear before the concerned Investigating Officer on every Wednesday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 21.08.2025
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