

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10328 of 2025

ORAL ORDER:

Seeking the Court to enlarge the petitioner, who is arrayed as accused No.1 in Crime No.182 of 2025 of Jagtial Rural Police Station, Jagtial District, registered for the offence punishable under Section 108 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023(for short, 'BNS'), on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 01.05.2025, the *de-facto* complainant lodged a complaint with the police alleging ongoing land disputes with the accused, who had repeatedly abused and threatened her, her husband (the deceased), and her mother-in-law. Five years earlier, she sold Ac.1-4 guntas of land, while the remaining 1 acre is in her mother-in-law's name. The accused allegedly harassed the land purchaser and demanded money. On 27.04.2025, while she and her husband were cleaning land near Pochamma temple, the accused again threatened them. Following this, her husband became mentally distressed and consumed grass

killer poison on 01.05.2025 at 4:30 AM. He was admitted to Prathima Hospital, Karimnagar, but died during treatment at 3:50 PM on the same day.

3. Basing on the said complaint, the police registered a case against the petitioner *vide* Crime No.182 of 2025, for the offence punishable under Section 194 of the Bharatiya Nagarik Suraksha Sanhita (for short, 'BNSS'). Later basing on the dying declaration of the deceased, the same was altered from Section 194 of BNSS to Section 108 of BNS.

4. Heard Sri Alluri Divakar Reddy, learned counsel appearing on behalf of the petitioner, Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent – State and Sri Uday Kumar Kukkadapu, learned counsel appearing on behalf of the *de-facto* complainant/respondent No.2.

5. Learned counsel for the petitioner submitted that the petitioner is innocent and has no connection whatsoever with the alleged suicide committed by the deceased and that the petitioner has no criminal antecedents and that there is no proximity between the alleged incident and the subsequent death. He further submitted that the incident is said to have

occurred on 27.04.2025, while the deceased passed away on 01.05.2025, and at no point did the petitioner abet the deceased to commit suicide and that civil disputes are pending between the parties, accused No.3 has also filed a suit for perpetual injunction against the *de-facto* complainant, *vide* O.S. No. 155 of 2025. He contended that the petitioner has been falsely implicated in the present crime by the *de-facto* complainant without any substantive evidence and was in jail from 15.07.2025. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. Learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, contending that the allegations against the petitioner are serious in nature and that the investigation is still in progress and if the petitioner is released on bail, at this stage, he may tamper with the evidence and may threaten the witnesses. Therefore, he prayed the Court to dismiss the criminal petition.

6. Learned counsel for respondent No.2 also opposed the bail application, submitting that prior to the death of the deceased, the police had recorded his oral statement, in which

the deceased clearly stated that he had committed suicide solely due to the actions of accused Nos.1 to 6. He further contended that if the petitioner is granted bail, there would be a threat to the life of the *de facto* complainant and prayed to dismiss the criminal petition.

7. In the light of the submissions made by the learned counsel for the petitioner, respondent No.2 and the learned Additional Public Prosecutor and a perusal of the material available on record, it is observed that the substantial part of the investigation has been completed and the petitioner was arrested on 15.07.2025 and does not have any prior criminal antecedents. Considering the facts and circumstances of the case, this Court deems it appropriate to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute 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 learned Principal Sessions Judge at Jagtial.
- ii. The petitioner shall appear before the concerned SHO at 11:00 A.M., on

every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.

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

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 20.08.2025

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