

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10627 of 2025

ORAL ORDER:

Seeking the Court to enlarge the petitioner, who is arrayed as accused in Crime No.149 of 2025 of Mangapet Police Station, Mulugu District, registered for the offence punishable under Section 108 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 05.08.2025, the *de-facto* complainant lodged a report with the police stating that her husband had been cultivating leased agricultural land and had regularly purchased seeds, fertilizers, and pesticides on credit from a local shop owned by the accused. For the past 2 to 3 years, the accused had not reconciled the account of the deceased. On 03.08.2025, the accused reviewed the account and informed the deceased that he would receive Rs.1,40,000/-. However, the next day, the accused claimed that there had been a mistake in the previous calculation and stated that the deceased actually

owed Rs.4,61,750/-. He demanded repayment within 10 days and allegedly threatened the deceased regarding the amount. Distressed by the sudden financial pressure and threats, the deceased became mentally disturbed, purchased a bottle of poison from the same shop, consumed it in his agricultural field, and died while undergoing treatment. Basing on the said complaint, the police registered a case against the accused for the above said offences.

3. Heard Sri Kiran Palakurthi, learned counsel appearing for the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and that there is no abetment on the part of the accused, as such Section 108 of BNS is not applicable to the present case and that the complaint does not contain any specific averments indicating a discrepancy in the financial transactions as alleged by the deceased and the complainant, and that the petitioner has no connection with the alleged offences. He further submitted that the petitioner was arrested on 06.08.2025 and that the material part of the investigation has already been completed. Therefore, he

prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, contending that the allegations against the petitioner are of a serious nature and that the deceased committed suicide as a result of the petitioner's abetment. He further submitted that the investigation is 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. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it is observed that the petitioner is in jail from 06.08.2025 and as the material part of the investigation is completed including examination of 12 witnesses and considering the facts and circumstances of the case, this Court deems it fit 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
Additional Judicial Magistrate of First
Class at Mulugu.

- 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 483(3)
of BNSS.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand
closed.

K. SUJANA, J

Date: 28.08.2025

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