

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10697 of 2025

ORAL ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.1 & 2 in Crime No.131 of 2025 of Aize Police Station, Jogulamba Gadwal, on bail, the present Criminal Petition is filed.

2. The case of the prosecution is that on 01.07.2025, the *de facto* complainant lodged a written complaint before the Police stating that his sister, Vadla Saroja, married accused No.1 and they had three children: Vinod (accused No.2), Pawan and Vaishnavi. It is further alleged that due to marital disputes and suspicion of an extramarital affair, accused No.1 had quarreled with his sister and subsequently married another woman in 2012. On 01.07.2025, at around 14:00 hours, when the *de facto* complainant went to his sister's house to collect a gas book, he saw his sister and accused Nos.1 and 2 chatting. At about 14:50 hours, he was informed by Pawan, his sister's younger son, that his mother was lying unconscious on the cot. When he rushed there with his wife and

Pawan, they found his sister in an unconscious state with a severe injury on the left side of her head and bloodstains inside the room. She was shifted to the hospital, where the doctors declared her dead. The complainant alleged that accused Nos.1 and 2 killed his sister on suspicion that she had illicit relationship with another person. Based on the said complaint, the Police registered Crime No.131/2025 under Section 103 r/w Section 3(5) of the Bharatiya Nyaya Sanhita (BNS).

3. Heard Sri G. Rajeshwar Rao, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and have been falsely implicated in the alleged offence. He further submitted that the petitioners have been in jail since 03.07.2025 and the material part of the investigation has already been completed. Therefore, he prayed this Court to grant bail to the petitioners by allowing the present criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that the first bail petition was dismissed by this Court on 05.08.2025, and there are no changed circumstances since then to warrant reconsideration. He further submitted that serious allegations have been levelled against the petitioners and that the investigation was not yet completed. At this stage, granting of bail to the petitioners does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon a perusal of the material available on record, it appears that the petitioners have been in jail since 03.07.2025. Further, the remand case diary shows that 14 witnesses have been examined and the material part of the investigation appears to be complete. Considering the facts and circumstances of the case, as well as the period of incarceration of the petitioners, this Court deems it fit to grant bail to the petitioners, subject to the following conditions:

- i. The petitioners shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned Judicial First Class Magistrate at Gadwal.
 - ii. The petitioners shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
 - iii. The petitioners 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: 28.08.2025

PRN

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