

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.11037 of 2025

ORAL ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.3 in Crime No.238 of 2025 of Khairatabad Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 28.07.2025 de facto complainant lodged a report before the Police stating that his younger brother, Veeraboina Mukesh Babu, who was running a milk distribution shop at Khairatabad market, was found dead by hanging in his house. On the morning of 28.07.2025, when his brother did not open the shop, Rakesh Babu and his friend Akhil went to his residence, broke the window glass, entered the house, and found him hanging from the ceiling fan with a saree. They immediately removed the saree, laid him on the bed, and called an ambulance, but the staff declared him dead. The complainant further stated that since 20.07.2025, there had been an issue between his brother and one Sunil Babu regarding the removal of a Bonalu banner at Gajjalamma

Temple, Khairatabad. On 27.07.2025 at about 20:30 hours, Vikesh called Mukesh to discuss the banner issue, and later, at about 00:01 hours on 28.07.2025, Vikesh, Fathu, Ghoru, and others came to Sai Kiran's milk shop, where they abused, threatened, and beat Mukesh, warning him not to roam in the Khairatabad area. Feeling insulted and depressed, Mukesh told Sai Kiran that he had lost his prestige and feared for his life. Later, he went home with the assistance of Avinash. The complainant stated that his brother had no medical or family problems and alleged that due to the threats, abuse, and beating by Vikesh and Fathu, his brother committed suicide by hanging. Based on the complaint, the police registered Crime No. 238/2025 under Section 108 r/w 3(5) BNS.

3. Heard Sri Kona NDV Ramana Rao, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the alleged offence and that there is no abetment even according to the prosecution. The petitioner has been in jail since 31.07.2025. He further submitted that the

material part of the investigation has been completed. Therefore, he prayed this 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 stating that there are serious allegations against the petitioner. The investigation was not yet completed. At this stage, granting of bail to the petitioner 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 petitioner has been in jail since 31.07.2025. As seen from the record, there was one more case pending against the petitioner in which he was acquitted. Further, the remand case diary shows that 14 witnesses have been examined and the material part of the investigation has been completed. Considering the facts and circumstances of the case, as well as the period of incarceration of the petitioner, 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) each, with two sureties for a like sum each to the satisfaction of the learned Chief Judicial Magistrate, Nampally, Hyderabad.
- ii. The petitioner 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 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: 04.09.2025
SAI

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