

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.11048 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.2 seeking anticipatory bail in connection with Crime No.62 of 2025 of Siddapur Police Station, Nagarkurnool District. The offences alleged against the petitioner are under Section 108 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The facts of the case are that the complainant lodged a report before police stating that the deceased-P.Harish is his son. The deceased and one Anusha were in a love affair, wherein the parents of Anusha gave a complaint against the deceased and he was in jail for some period. Thereafter, after his release from jail, all the accused harassed him and beat him due to which the deceased committed suicide and died on 24.08.2025. As such, the complainant requested the police to take necessary action against the accused. Basing on the said complaint, police registered the case against the accused for the said offences.

3. Heard Sri S. Goutham, learned counsel for the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that there is no abetment in this case and for the same incident, earlier complainant lodged a complaint before the trial Court which was numbered as C.C.No.157 of 2025 and there is no proximity between the harassment and suicide, that there is no mens rea to the petitioner herein for such abetment and custodial interrogation of this petitioner is not necessary. As such requested this Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the allegations against this petitioner are severe in nature. Though there is no dying declaration recorded, there is a selfie video and due to the harassment of this petitioner only, the deceased committed suicide. As such prayed this Court to dismiss this petition.

6. Having regard to the submissions made by both the counsel and the material placed on record, the allegation against this petitioner is that he along with other accused beat the deceased and also harassed him. Except this allegation,

there are no other allegations against him and by the time C.C.No.157 of 2025 was filed the deceased was alive and at the time of registration of this crime, he died. Considering the circumstances of this case, this Court deems it fit to grant anticipatory bail to the petitioner subject to the following conditions :

- i. The petitioner/A.2 shall surrender before the Station House Officer, Siddapur Police Station, Nagarkurnool District, within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty five thousand only) with two sureties, for the like sum each.
 - ii. The petitioner/A.2 shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.
 - iii. The petitioner/A.2 shall abide by the other conditions stipulated in Section 482(2) of BNSS and co-operate with the Investigating Officer in investigating the case.
7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date :04.09.2025
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