

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.11298 of 2025

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.267 of 2025 of Malakpet Police Station, Hyderabad District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 16.07.2025, the de-facto complainant, who is the brother-in-law of the deceased lodged a complaint before the Police stating that the accused threatened the deceased in abusive and filthy language for payment of the loan instalments. Due to the unbearable harassment caused by the accused, the deceased consumed poison and, while undergoing treatment, died at Osmania General Hospital. Basing on the said complaint, the police registered a case vide FIR No.267 of 2025 for the offence punishable under Section 108 of BNS Act and investigated the said case and recorded the dying declaration. According to the dying declaration, it is revealed that the petitioner consumed poison, due to the harassment of some of persons, who gave him money and due to the financial problems, he committed suicide.

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

4. Learned counsel for the petitioner submitted that the petitioner was working as a collection Executive at Bajaj Finance, Somajiguda Branch and he visited the residence of the deceased for recovery of the pending installments, he failed to do so and except that, there is no other relations between the petitioner and the deceased and as such, the said section itself is not applicable to the petitioner. It is further submitted that the petitioner is in judicial custody from 16.08.2025 and the material part of the investigation was already 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 stating that the allegations leveled against the petitioner are serious in nature. It is further submitted that there is dying declaration recorded by the competent authority. Further, 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 light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the allegation against the petitioner is that the petitioner visited the residence of the deceased for recovery of the pending installments, he failed to do so, he threatened the deceased in abusive and filthy language for payment of the loan installments, due to which the deceased committed suicide and the petitioner is in judicial custody since 16.08.2025 and 18 witnesses were already examined and the petitioner's name is not declared in the dying declaration. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.15,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned

VII Additional Chief Judicial Magistrate at Nampally.

- 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: 08.09.2025
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