

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.11405 of 2025

ORDER:

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioner who is arrayed as accused No.2 in FIR No.33 of 2025 before the Mulkanoor Police Station, at Hanumakonda District, registered for the offences punishable under Sections 318 (4), 294, 118 (1) and 108 r/w Section 3 (5) of BNS.

2. The case of the prosecution is that on 17.02.2025 at 12.00 hours the *de-facto* complainant lodged a report before the police stating that his father went to the house of accused Nos.1 and 2 and requested for registration of the property in favour of his father, as the property belongs to his father, for which the petitioner herein abused him in most filthy language stating that he is not having any land and insulted him by beating him with broom stick and also asked him to die. Due to the above instigation and insult, his father consumed pesticide poison to commit suicide and died on 03.03.2025. Hence, he requested for taking necessary action.

On receipt of the said complaint, the Police registered case against the petitioner for the offences as alleged. Aggrieved thereby, this Criminal Petition is filed seeking anticipatory bail of the petitioner.

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

4. Learned counsel for petitioner submitted that there are no such averments to attract the offence punishable under Section 108 of BNS and the deceased himself threatened the petitioner that he will consume the poison. It is further submitted that accused No.1 was already arrested and was released on bail. It is further submitted that there are no serious allegations leveled against this petitioner. Therefore, he prayed the Court to grant pre-arrest 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. Further, the investigation was not yet completed. At this stage, granting of pre-arrest 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 there are property disputes between the petitioner and the de-facto complainant's family and even according to the complainant, the property is the ancestral property and the deceased himself threatened the petitioner that he will consume the poison, if the property is not registered in his name and he died on 03.03.2025. Considering the facts and circumstances of the case and also that accused No.1 was already arrested and was released on bail, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to compliance of the following conditions:

- i. The petitioner shall surrender before
the Station House Officer, Mulkanoor
Police Station, at Hanumakonda

District, within two weeks from today, and on such surrender, the said Station House Officer shall release her on bail, on petitioner executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties, for the like sum each.

- ii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.
- iii. The petitioner shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 10.09.2025
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