

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.11600 of 2025

ORDER:

The present Criminal Petition is filed praying this Court to enlarge the petitioner who is arrayed as accused No.2 in Crime No.177 of 2025 before Ameenpur Police Station, on the file of the Judicial Magistrate of First Class, at Sangareddy, registered for the offences punishable under Sections 103, 238, 240, 49 read with 61(2) of BNS, on bail.

2. The brief facts of the case of prosecution are that on 28-03-2025 at approximately 06:00 hours, Sri Avuirichinthala Keshavulu @ Chenna Keshavulu, aged 48 years, working as a water tanker driver and resident of Maruthi Nagar Colony, Beeramguda, Ameenpur Town Mandal, originally from Medakpalli Village, Thalakondapally Mandal, Rangareddy District, lodged a complaint at Ameenpur Police Station, stating that he is one of seven siblings (six brothers and one sister), and his third elder brother, Sri Avuirichinthala Chennaiah, aged 50 years, also a water tanker driver, had been residing with his wife Lavanya @ Rajitha and their three

children, Sai Krishna (12), Madhupriya (10), and Goutham (8) in a rented house at Raghavendra Nagar Colony, Beeramguda for the past three years. Lavanya works as a teacher in a private school. The complainant reported that the couple had a harmonious marital relationship with no known disputes. On the night of 27-03-2025, the family had dinner around 21:00 hours; Lavanya and the children consumed pasta (cooked earlier that day) and curd rice, while Chennaiah ate dal rice. At around 22:00 hours, Chennaiah left for work in Chandanagar for water supply duties and returned home at approximately 23:30 hours. Upon his return, he found Lavanya and daughter Madhupriya asleep in the hall, while the other two children were sleeping in the bedroom. He also slept in the hall. At around 03:30 hours on 28-03-2025, Chennaiah noticed Lavanya struggling with severe throat pain and suffocation. With the help of neighbors, he rushed her to Panacea Hospital in Beeramguda. Meanwhile, the three children were found unresponsive at home with white foam coming out of their mouths, indicating possible poisoning or toxic reaction. Upon receiving this information, the complainant and his wife Shirisha immediately visited the house and confirmed the children's deaths. Lavanya was

admitted to the hospital and was in stable condition and recovering. On receipt of the said complaint, crime was registered against the accused, including the petitioner, for the offences as alleged.

3. Heard Sri Gurram Venkat Ramana, learned counsel for petitioner, and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of respondent – State.

4. Learned counsel for the petitioner submitted that petitioner/accused No.2 was not present at the scene of crime on the alleged date of incident and has no connection or involvement with accused No.1 or the alleged acts. He further submitted that the only reference to the petitioner in the Remand Case Diary is a statement that “Shiva also agreed with her and told her to quickly finish the task,” which lacks corroborating evidence such as call recordings or other material proof. He contended that the prosecution has failed to produce any direct or substantive evidence against the petitioner, and the allegations remain unsubstantiated. He lamented that the actions of accused No.1 were independent and motivated by her own intent, with the petitioner merely

being a passive recipient of her statements. He averred that the petitioner was arrested on 02.04.2025 and has been in judicial custody for over 120 days, despite the completion of investigation and filing of the charge sheet, making continued detention unwarranted. Therefore, he prayed this Court to allow 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. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the petitioner is in jail since 02.04.2025. As seen from the record, the material part of the investigation is completed and charge sheet is also filed. Considering the facts and circumstances of the case, 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 Judicial Magistrate of First Class, Sangareddy.
- 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: 23.09.2025
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