

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12297 of 2025

ORAL ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused in Crime No.237 of 2025 before the CCC Naspur Police Station, Ramagundam Commissionerate.

2. The brief facts of the case are that on 25.08.2025, the de facto complainant, mother of the deceased, lodged a written complaint stating that her son, married to Swarupa in the year 2012, had ongoing domestic disputes with his wife. On 24.08.2025, the petitioner Kodepaka Ellaiah, father of the deceased's wife, visited the complainant's house and spoke to her regarding her son's behavior toward his wife. Later that evening, the deceased allegedly committed suicide by jumping into the Godavari River at Seetharampalli village. He was rescued and shifted to Government Hospital, Mancheri, where he was declared dead.

3. Heard Sri K. Mallikarjun, 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 was innocent and had no direct communication with the deceased regarding the alleged statements and that the petitioner only spoke to the deceased's mother about her son's neglect of his wife, and the complainant had misrepresented these words to the deceased. He contended that there was no abetment or provocation by the petitioner, who was a senior citizen with health issues, and that he was falsely implicated. 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 same stating that the allegations leveled against the petitioner are serious in nature. 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 the light of the submissions made by the learned counsel for the petitioner and on perusal of the material available on record, it appears that although the deceased committed suicide, the allegations in the complaint indicate that the communication which allegedly led to the incident was between the de facto complainant and the petitioner, and there is no direct evidence showing deliberate abetment by the petitioner. In view of the same, custodial interrogation of the petitioner is not necessary at this stage. 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 surrender before the Station House Officer, CCC Naspur Police Station, Ramagundam District, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond

for Rs.25,000/- 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: 24.09.2025
SAI

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SAI