

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16306 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner who is arrayed as accused Nos.1 to 3 in Crime No.408 of 2024 of Yellareddypet Police Station, Rajanna Sircilla District.

2. The brief facts of the case are that the 21.12.2024 at 10.00 hours, the *de-facto* complainant lodged a report stating that he had one house in his village vide H.No.3-10, extent 0.02 guntas. It is stated that accused claimed to that the said land belong to him and later accused filed case vide O.S.No.305 of 2022 before Magistrate at Sirciall and they got orders in their favour. Meanwhile, they started new building in the said house place with GP permission, while he was attending construction works along with his mother, accused persons were came and threatening by saying the place belongs to them. As a result, his mother fed up with their harassment and desired to commit suicide. On that, she consumed poison at their house and she immediately shifted

to hospital and getting treatment. Hence, the case was registered vide Crime No. 408 of 2024 of Yellareddypet Police Station, Rajanna Sircilla District, for the offences punishable under Section 108 read with 62 of BNS

3. Heard Sri Meghana Addla Suneel, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioners *firstly* submitted that the petitioners are innocent and they are no way concerned with the alleged offences. He *secondly* submitted that there are no specific allegations against the petitioners mentioned in the complaint. He *thirdly* submitted that the sections itself not attracted to the present case and there is no death and she is survived. He *lastly* submitted that the petitioners are resident of Rajannapet, Rajanna Sircilla District, with movable and immovable properties, and is willing to furnish sureties as directed and prayed the Court to grant of anticipatory 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 accused No.1 is involved other four more cases and accused No.2 is involved two more other cases and the investigation is not yet completed and therefore, granting anticipatory bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, it is apparent that though the alleged offences are Section 108 read with 64 of BNS , there is no such abetment for commit suicide and also the mother of the *de-facto* complainant has not died. It is pertinent to note that material part of investigation investigation is completed. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S.Yellareddypet 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 appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.
- iii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 03.01.2025

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