



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 186 OF 2026

TANAJI NANASAHEB TELE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Sushant Baburao Choudhari

APP for Respondents/State : Mr. N. S. Tekale

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CORAM : MEHROZ K. PATHAN, J.

DATE : 7th MARCH, 2026

PER COURT :

1. Heard the learned Counsel for the Applicant and the learned APP for the State.
2. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.374/2025 registered with Aurad Shahajani Police Station, Taluka Nilanga, District Latur for the offences punishable under Sections 108 r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. The case of the prosecution is that the FIR is registered at the instance of first informant Ismail Khalilmiya Belure, brother of the deceased Imran @ Bablu Khalilmiya Belure, who committed suicide by hanging on 25.12.2025. The first informant is brother of the deceased Imran. As per FIR, on 25.12.2025 when the first informant was in college at Basavkalyan, he received one video on WhatsApp from the mobile number of the deceased. In the said

video, the deceased narrated about his harassment by one PSI and driver of Aurad Shahajani police station and said that he was going to hang himself. After taking search, it was noticed at about 05:30 pm that the deceased had committed suicide by hanging to a tree on the outskirts of river at Aurad Shahajani. It is alleged that one PSI and driver of police van are responsible for the commission of suicide by the deceased. Accordingly, the crime came to be registered on 26.12.2025 against driver co-accused Tanaji Tele and unnamed PSI of Aurad Shahajani Police Station.

4. The learned Counsel for the Applicant submits that the period of the alleged incident is shown from 25.09.2025 to 25.12.2025. The Applicant was working as a Driver in the patrolling team consisting of PSI Vitthal Dhurpade. A perusal of the FIR would show that identical allegations were made against the co-accused PSI Vitthal Dhurpade of instigation and abetment of commission of suicide by the victim, as allegedly recorded in a video by the victim. The said co-accused Vitthal Dhurpade has already been granted anticipatory bail by the learned Sessions Court. Applying the principles of parity, the Applicant is also entitled to anticipatory bail. The Applicant was only performing his official duties as per the directions of his Superior Officer. A circular had been issued by the Superintendent of Police to keep a watch on criminal history-sheeters and to conduct combing operations to prevent crimes. The night-round action plan was circulated amongst all officers, and it was only under that duty that the Applicant was accompanying the co-accused

Vitthal Dhurpade, who is already protected by anticipatory bail. The Applicant, along with other co-accused, is alleged to have taken photographs of the victim, Imran Khalilmiya, who is a criminal history-sheeter against whom two offences of theft were already registered. Thus, the Applicant, being a Government Servant, was merely performing his official duty and therefore cannot be said to have instigated or abetted the commission of suicide by the victim. The Applicant is not having any criminal antecedents and is ready to abide by any conditions that may be imposed by this Court. Hence the Applicant may be protected.

5. The learned APP vehemently opposes the present application on the ground that there are direct allegations of abetment of commission of suicide at the behest of the present Applicant, Tanaji, who was working as a Driver. The complainant has received a video recorded by the deceased immediately prior to the commission of suicide, specifically attributing the role to the Applicant. It is submitted that the Applicant, being a driver in the police department, if released on bail, is likely to tamper with the prosecution evidence and thereby cause prejudice to the prosecution case. Thus the custodial interrogation of the Applicant is necessary. Hence, this is not a fit case to release the Applicant on anticipatory bail.

6. I have gone through the investigation papers made available by the learned APP. The investigation appears to be almost complete.

The FIR was lodged on the basis of a video recorded by the victim from the mobile phone of the complainant. The mobile phone of the deceased was also seized from the spot where the victim was found hanging. The other co-accused, PSI Vitthal Dhurpade, has already been released on anticipatory bail by the learned Sessions Court on the very same ground that he was only performing his duties as per the night-round action plan circulated by the Superintendent of Police, Latur. The said circular contained instructions to keep watch on the movements of history-sheeters, along with their photographs and locations, which were to be shared on the WhatsApp group of the concerned police station and the Sub-Divisional Police Officer.

. From the record, it appears that the victim, Imran Khalilmiya, was a criminal history-sheeter with two offences under Section 379 of the IPC registered against him, namely Crime No. 90/2017 and Crime No. 154/2020. In order to keep surveillance over habitual offenders, the Applicant appears to have visited the house of the complainant, inquiring about the deceased's brother, as per the directions of his Superior Officer. Whether the Applicant intended to abet the commission of suicide of the victim is a matter to be decided by the learned Trial Court after leading evidence to that effect. However, these observations are prima facie in nature and may not influence the Trial Court. However applying the principles of parity, the Applicant is entitled to be released on bail. I am, therefore, inclined to protect the present Applicant. Hence the following order :

ORDER

- (i) In the event of arrest of the Applicant - Tanaji Nanasaheb Tele

in connection with Crime No.374/2025 registered with Aurad Shahajani Police Station, Taluka Nilanga, District Latur for the offences punishable under Sections 108 r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023, he be released on bail on furnishing PR. bond of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties in the like amount, on the following conditions :

(a) The Applicant shall attend Aurad Shahajani Police Station, Taluka Nilanga, District Latur on 12th 13th 19th 20th 26th and 27th of March, 2026 and thereafter as and when called by the Investigation Officer, till the filing of the charge-sheet.

(b) The Applicant shall not tamper with the prosecution evidence and shall not influence the witnesses.

(c) The Applicant shall submit his Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of himself and two of the near relatives.

(d) A single violation of the aforesaid conditions would entitle the prosecution to seek cancellation of the bail of the present Applicant on that ground.

(ii) The application is allowed in the above terms and stands disposed of.

MEHROZ K. PATHAN
JUDGE