

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.4272 OF 2026

DATE : 08.04.2026

Between:

Hemanth Patial

....Petitioner/A.1

AND

The State of Telangana,
Through S.H.O, Police Station Nacharam,
Rachakonda,
rep., by Public Prosecutor, High Court,
Hyderabad.

..... Respondent/Complainant

: ORDER :

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking the Court to grant anticipatory bail to the petitioner in the event of his arrest in connection with Crime No.316 of 2023 of Nacharam Police Station, Rachakonda District. The offences alleged against the petitioner are under Sections 498-A, 306 r/w. Section 34 of Indian Penal Code (for short 'IPC').

2. The facts of the case are that on 21.06.2023 at about 02:00 hours, a complaint was received from Arshiya, wife of Mahammed Arshadh, wherein she stated that about five years

prior to the complaint, her daughter, the deceased, aged about 29 years, working as an IT employee, had a love marriage with the petitioner who is a resident of Rajasthan, in the presence of both families. Out of their wedlock, they were blessed with one son aged three years. After the marriage, her son-in-law allegedly developed an illicit relationship with another woman and started harassing the deceased both physically and mentally, often quarrelling over trivial issues. The parents of the petitioner also supported him. About six months ago, the petitioner went to Cyprus for employment and initially used to contact the deceased frequently, but later stopped communicating with her and asked her not to call him, which caused her mental distress. On 20.06.2023 at about 20:00 hours, the petitioner allegedly called and abused her and instigated to die. Later, at about 21:30 hours, the deceased went into her bedroom in a depressed state. Suspecting something was wrong, the complainant went to her daughter's house at about 21:45 hours and found her hanging from the ceiling fan with the help of a scarf. The door was broken open and she was immediately shifted to Prasad Hospital, Nacharam, where the doctors declared her brought dead. Hence, requested the police to take action against the petitioner basing on which the present crime is registered against the accused.

3. Heard Sri Mohammad Fayaz, learned counsel appearing for the petitioner and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent – State.

4. The contention of learned counsel for the petitioner is that the petitioner had left India and went to Cyprus on a student visa several months prior to the unfortunate incident and was not present in India at the time of alleged suicide. It is further submitted that the essential ingredients of the offence of abetment of suicide under Section 306 of the Indian Penal Code are not made out, as there is no material to show any direct instigation or intentional aid on the part of petitioner. Learned counsel further submitted that investigation has already been completed and a charge sheet has been filed before the trial Court, and therefore custodial interrogation of the petitioner is not required. It is also submitted that the parents of the petitioner, who are arrayed as A.2 and A.3, have already been granted bail and are cooperating with the trial proceedings.

Learned counsel further contended that the petitioner could not return to India earlier due to financial constraints and his educational commitments abroad, and that he has not

intentionally evaded the investigation. It is submitted that a Look Out Circular dated 24.06.2023 was issued by the Investigating Officer, which itself shows that the authorities are aware that the petitioner was residing abroad. If the petitioner is arrested, he would suffer irreparable hardship, especially when his custodial interrogation is not required. The petitioner apprehends that upon his arrival to India, he may be detained at the airport pursuant to the Look Out Circular issued against him. Further petitioner undertakes to cooperate with the investigation and to appear before the authorities or the trial court as and when directed. Hence, prayed this Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail contending that the allegations against the petitioner are serious in nature. He further contended that due to the abetment caused by the petitioner the deceased committed suicide. Hence, petitioner is not entitled to bail and prayed to dismiss this petition.

6. Upon considering the submissions made by the learned counsel for the petitioner and the learned Additional Public Prosecutor, and on perusal of the material available on record, this Court observes that the crime was registered in the year 2023 and admittedly, at the time of alleged incident as well as

registration of crime, petitioner was residing abroad in Cyprus. It is also not in dispute that the investigation in the case has been completed and charge sheet has already been filed against A.2 and A.3. Considering the allegations against the petitioner and the time of registration of crime, this Court deems it fit to grant anticipatory bail to the petitioner in the event of his arrest or detention, including at the airport pursuant to the Look Out Circular bearing No.LOC No.128/OW/NCRM-PS/RCK/2023 dated 24.06.2023, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Nacharam Police Station, Rachakonda District within a period of two (2) weeks from the date of his arrival in India and shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for the like sum each.
- ii. The petitioner shall cooperate with the investigation and appear before the Investigating Officer as and when required.
- iii. The petitioner shall not directly or indirectly contact, threaten, or influence the de facto complainant or any of the prosecution witnesses.
- iv. The petitioner shall furnish his complete residential address in India and abroad, along

with contact details, to the Investigating Officer and shall intimate any change thereof.

- v. The petitioner shall not leave India without prior permission of the investigating officer
- vi. In case of violation of any of the above conditions, the prosecution is at liberty to seek cancellation of bail.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 08.04.2026
Rds

K. SUJANA, J

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