

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.7901 OF 2026

DATE : 16.06.2026

Between:

Bellam Radhika and Another

...Petitioners

AND

The State of Telangana

...Respondent

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, "BNSS"), seeking the relief of anticipatory bail.

2. The petitioners are arrayed as Accused Nos.2 and 3 in FIR No.71 of 2026 on the file of Wardhannapet Police Station, Warangal District, registered for the offences punishable under Sections 80 and 85 of the Bharatiya Nyaya Sanhita, 2023 (for short, "BNS"), and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

3. Heard the learned counsel appearing for the petitioners and the learned Assistant Public Prosecutor representing the respondent-State. The material available on record has been carefully perused.

4. The prosecution case, in brief, is that on 28.03.2026, a complaint was lodged by the de facto complainant, who is the father of the deceased. Based on the said complaint, a case relating to the missing of a woman and a boy was initially registered. During the course of investigation, the nature of allegations was reassessed and the crime was subsequently altered, resulting in the present proceedings.

5. Learned counsel for the petitioners submits that the allegations contained in the complaint do not disclose any specific overt acts attributable to the petitioners. It is contended that the petitioners are the sister and brother-in-law of Accused No.1, who is the husband of the deceased, and that they have been implicated solely on account of their relationship with the principal accused. Learned counsel further submits that the petitioners are law-abiding citizens, are ready and willing to cooperate with the investigating agency, and undertake to abide by any condition that may be imposed by this Court. On the aforesaid grounds, he seeks grant of anticipatory bail.

6. In contrast, the learned Assistant Public Prosecutor opposes the petition, contending that the investigation is still in progress and that the involvement of the petitioners surfaced during the course of investigation, pursuant to which they were arrayed as accused. It is further submitted that the Court below, upon considering the material available at that stage and recording a prima facie finding regarding the alleged harassment meted out to the deceased, dismissed the earlier application for anticipatory bail.

Therefore, according to the learned Assistant Public Prosecutor, the petitioners are not entitled to the discretionary relief sought.

7. I have carefully considered the rival submissions and examined the material placed on record.

8. The principles governing the grant of anticipatory bail are well settled. In *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565, the Constitution Bench of the Hon'ble Supreme Court held that the power to grant anticipatory bail is an extraordinary but salutary remedy intended to safeguard individual liberty against arbitrary arrest. The Court emphasized that the discretion vested in the Court must be exercised judiciously, having regard to the facts and circumstances of each case.

9. It is equally well settled that, while considering an application for anticipatory bail, the Court is not expected to undertake a meticulous examination of the evidence or conduct a mini trial. The Court is only required to ascertain whether a prima facie case exists, whether custodial interrogation is genuinely necessary, the nature and gravity of the accusation, the role attributed to the accused, the possibility of fleeing from justice, and the likelihood of tampering with evidence or influencing witnesses.

10. In the case on hand, the petitioners are relatives of Accused No.1. At this stage, the material available on record does not disclose any specific allegations requiring their custodial interrogation. The investigation can effectively proceed with the cooperation of the petitioners, who have

expressed their willingness to participate in the investigation and abide by all conditions imposed by the Court. There is nothing on record to indicate that the petitioners are likely to abscond, evade the process of law, or interfere with the investigation.

11. Having regard to the nature of the allegations, the relationship between the parties, the absence of any specific material demonstrating the necessity of custodial interrogation, and balancing the interest of a fair investigation with the fundamental right to personal liberty guaranteed under Article 21 of the Constitution of India, this Court is of the considered view that the petitioners have made out a case for grant of anticipatory bail.

12. Accordingly, the Criminal Petition is allowed. The petitioners shall be enlarged on anticipatory bail in the event of their arrest, subject to the following conditions:

(A). The petitioners/Accused Nos.2 and 3 shall surrender before the Station House Officer, Wardhannapet Police Station, Warangal District, on or before 02.07.2026. Upon such surrender, the Station House Officer shall release them on bail on execution of 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 said officer.

(B). The petitioners shall appear before the Station House Officer every Saturday between 11:00 a.m. and 2:00 p.m. for a period of eight

(8) weeks from the date of their release on bail and shall cooperate with the investigation in all respects.

(C). The petitioners shall furnish their complete residential addresses and contact details to the Investigating Officer and shall keep the same updated throughout the course of investigation.

(D). The petitioners shall not either directly or indirectly induce, threaten, influence, or contact any prosecution witness, nor shall they tamper with the prosecution evidence in any manner whatsoever.

14. It is made clear that any observations made herein are confined solely to the adjudication of the present application for anticipatory bail and shall not be construed as an expression on the merits of the case.

Miscellaneous applications, if any pending, shall stand closed.

N.TUKARAMJI, J

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