

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

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No. 8415 OF 2026

DATE: 17.06.2026

Between :

Seeloju Shiva Kumar

... Petitioner/Accused No. 7

AND

The State of Telangana, Represented through Public
Prosecutor, High Court for the State of Telangana at
Hyderabad, and another.

... Respondents.

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 petitioner is arrayed as accused No.7 in FIR No.194 of 2026 of Pocharam IT Corridor Police Station, Malkajgiri, registered for the offence punishable under Section 108 read with Section 3(5) of the *Bharatiya Nyaya Sanhita, 2023* (for short, "BNS").

3. Heard Mr. Kalyan Singh, learned counsel, argued on behalf of Ms. Priyanka Chowdhary, learned counsel for the petitioner and

Mr. M.Vivekananda Reddy, learned Assistant Public Prosecutor representing respondent No.1-State.

4.1. Briefly stated, the prosecution case is that, in the backdrop of a love relationship and a proposed marriage between accused No.1 and the deceased/victim, the issue of HIV status arose, as accused No.1's father had died due to the said disease and medical examination revealed that accused No.1 was HIV positive. Consequently, the marriage proposal was called off. In that backdrop, accused No.1 is alleged to have forcibly injected his blood into the deceased by means of a syringe. On that basis, Crime No.138 of 2026 was registered.

4.2. It is further alleged that, when adverse publicity spread against accused No.1, accused Nos.2 to 5 hatched a plan to defame the character of the deceased. According to the prosecution, the petitioner/accused No.7 advised them to malign the character of the deceased through social media, took them to the office of Vedhan Media TV YouTube Channel, and facilitated the recording of an interview of accused Nos.2 and 3 in his presence, during which defamatory remarks were allegedly made against the deceased. It is alleged that, after the telecast of the interview, the deceased, having suffered mental agony, committed suicide by hanging herself from a ceiling fan. On the complaint lodged by the mother of the deceased, the present crime was registered.

5. Learned counsel for the petitioner submits that the allegation against the petitioner, who was the counsel representing accused No.1 in Crime No.138 of 2026, is merely that he supported the cause of accused No.1. It is further contended that the entire complaint does not attribute any specific overt act to the petitioner/accused No.7 and that his mere presence during the interview conducted by the YouTube channel, in the absence of any material that he advised the accused to defame the deceased or facilitated the interview, would not justify his prosecution. Learned counsel further submits that the petitioner is an advocate and that, in the absence of any specific allegations against him, much less any positive act indicating abetment on his part, continuation of the prosecution would be improper. It is also submitted that the petitioner is willing to cooperate with the investigation, will make himself available whenever required by the investigating agency, and, as he apprehends arrest by the police, seeks indulgence of this Court by way of grant of anticipatory bail.

6. Learned Assistant Public Prosecutor opposed the bail petition and contended that the petitioner's presence during the interview telecast by the YouTube channel, in which certain atrocious remarks were made against the deceased, is borne out by the record. It is submitted that the investigation has revealed that the petitioner, being the counsel for accused No.1, advised the accused persons to defame the deceased and also arranged the interview. It is further contended that the investigation is at a nascent stage

and that grant of anticipatory bail at this juncture may prejudice the prosecution case. Accordingly, dismissal of the petition is sought.

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

8. The specific allegation against the petitioner is that he had advised accused Nos.2 to 5 to defame the victim and had facilitated the interview of accused Nos.2 and 3 on a social media platform. However, a careful consideration of the averments contained in the complaint and the remand report, which form part of the material placed before this Court, prima facie discloses that, except for the petitioner's presence during the impugned interview, there is no specific overt act, contemporaneous conduct, electronic communication, or other incriminating circumstance presently available on record to substantiate the allegation that he had either instigated, aided, or intentionally facilitated the alleged campaign against the deceased.

9. At this stage, it would be premature for this Court to record any conclusive finding regarding the petitioner's alleged involvement in the commission of the offence under Section 108 of the Bharatiya Nyaya Sanhita, 2023, relating to abetment, or his alleged role in the suicide committed by the victim. It is well settled that, to constitute abetment of suicide, there must be material indicating a positive act of instigation, intentional aid, or active participation having a proximate nexus with the

commission of suicide. Mere association with the principal accused, professional engagement as counsel, or presence at a particular event, without more, may not by itself satisfy the statutory ingredients of abetment.

10. The Hon'ble Supreme Court has consistently held that, in cases alleging abetment of suicide, there must exist a clear *mens rea* to instigate or aid the commission of suicide and an active or direct act leading the deceased to take the extreme step. Mere harassment, casual remarks, or remote acts unconnected with the suicide would ordinarily be insufficient to attract criminal liability. See, *Geo Varghese v. State of Rajasthan*, (2021) 19 SCC 144; *M. Mohan v. State*, (2011) 3 SCC 626; and *Gurcharan Singh v. State of Punjab*, (2020) 10 SCC 200.

11. Equally, while considering an application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Court is required to balance the individual's right to personal liberty against the legitimate interests of investigation. The factors ordinarily relevant for consideration include the nature and gravity of the accusation, the specific role attributed to the accused, the necessity for custodial interrogation, the likelihood of the accused fleeing from justice, and the possibility of tampering with evidence or influencing witnesses. The Constitution Bench decision in *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565, reiterated that anticipatory bail is an important facet of the protection of personal liberty and that custodial

interrogation should be justified by the facts and circumstances of each case.

12. Having regard to the nature and extent of the allegations levelled against the petitioner, the absence, at this stage, of any material beyond his alleged presence during the interview, and considering his expressed willingness to cooperate with the investigation, this Court is of the prima facie opinion that custodial interrogation of the petitioner does not appear to be necessary. Consequently, this Court deems it appropriate to extend the protection of anticipatory bail to the petitioner, subject to such conditions so as to ensure that the prosecution is not prejudiced in any manner.

13. Accordingly, the Criminal Petition is allowed. The petitioner/accused No.7 shall be enlarged on anticipatory bail in FIR No.194 of 2026 of Pocharam IT Corridor Police Station, Malkajgiri, subject to the following conditions:

(A) The petitioner shall surrender before the Station House Officer, Pocharam IT Corridor Police Station, Malkajgiri, on or before 03.07.2026. Upon such surrender or in the event of arrest, the Station House Officer shall release the petitioner on bail on execution of a personal bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only) with two sureties for a like sum each, to the satisfaction of the said Officer.

(B) The petitioner shall appear before the Station House Officer every Monday and Thursday between 2:00 p.m. and 5:00 p.m. for a period of ten (10) weeks from the date of his release on bail and shall cooperate with the investigation in all respects.

(C) The petitioner shall remain available for interrogation as and when required during the course of investigation and shall extend full cooperation to the investigation.

(D) The petitioner shall furnish his complete residential address, mobile number and other contact particulars to the Investigating Officer and shall promptly intimate any change therein.

(E) The petitioner shall not directly or indirectly induce, threaten, influence, or promise any person acquainted with the facts of the case, nor shall he tamper with prosecution evidence in any manner whatsoever.

Pending miscellaneous applications, if any, shall stand closed.

N.TUKARAMJI, J

Date: 17.06.2026

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