

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.8505 OF 2026

DATE : 18.06.2026

Between:

Boddu Mohan Rao.

...Petitioner-accused No.4

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 grant of anticipatory bail.

2. The petitioner is arrayed as Accused No.4 in Crime No.181 of 2026 on the file of the Keesara Police Station, Malkajgiri, registered for the offences punishable under Section 108 of the *Bharatiya Nyaya Sanhitha*, (for short, "BNS").

3. Heard Mr.K.Ravikanth, learned counsel for the petitioner and Mr.Vivekananda Reddy, learned Additional Public Prosecutor representing the respondent-State and perused the material available on record.

4. The prosecution case, in brief, is that the deceased had availed a two-wheeler loan from *Shiva Sai Kakatiya Finance* and had allegedly defaulted in repayment of the outstanding dues. It is alleged that on 22.06.2025, the petitioner along with three other persons visited the deceased and

demanded repayment of the loan amount. According to the prosecution, the said incident caused mental distress and humiliation to the deceased, who thereafter committed suicide by hanging. On the basis of a report lodged by the father of the deceased, the present crime came to be registered against the accused persons for the offence punishable under Section 108 of the BNS.

5.1 Learned counsel appearing for the petitioner submits that the allegations, even if accepted in their entirety, do not prima facie satisfy the essential ingredients constituting the offence of abetment of suicide punishable under Section 108 of the BNS. It is contended that there is no allegation that the petitioner had instigated, intentionally aided, or engaged in any conduct amounting to active participation in the commission of suicide by the deceased. Learned counsel would submit that the only allegation attributed to the petitioner is that he had accompanied the other accused persons and had asked the deceased to repay the loan amount lawfully due to the financier. Except for the said allegation, no overt act, threat, coercion, or persistent course of conduct intended to compel the deceased to commit suicide has been attributed to the petitioner.

5.2. Learned counsel further submits that the petitioner is a permanent resident, has roots in society, and is willing to cooperate with the investigation by appearing before the Investigating Officer as and when required. It is argued that his custodial interrogation is not warranted in the facts and circumstances of the case and that his arrest would serve no

useful purpose. Accordingly, learned counsel seeks the grant of anticipatory bail.

6. Per contra, learned Additional Public Prosecutor opposed the petition contending that, as per the material collected during investigation, the petitioner along with three others had gone to the residence of the deceased and demanded repayment of the outstanding loan amount. It is submitted that the deceased, being unable to withstand the mental stress allegedly caused by the said incident, took the extreme step of ending his life. He further submits that the investigation is still in progress and that grant of anticipatory bail at this stage may prejudice the prosecution case and impede effective investigation. Accordingly, dismissal of the petition is sought.

7. I have considered the rival submissions and perused the material available on record.

8. The gravamen of the allegation against the petitioner is that he had accompanied the other accused persons to the residence of the deceased and demanded repayment of the outstanding loan amount. At this stage, there is no allegation indicating that the petitioner had subjected the deceased to harassment, criminal intimidation, wilful humiliation, or any other conduct intended to provoke, incite, or compel him to commit suicide.

9. The law relating to abetment of suicide is fairly well settled. To attract the offence under Section 108 of the BNS, there must be prima facie material demonstrating a direct or indirect act of instigation, intentional

aid, or active complicity in the commission of suicide. Mere harassment, ordinary discord, or a demand for repayment of a debt, in the absence of mens rea to drive a person to commit suicide, would not ordinarily constitute the offence of abetment.

10. In *Gurcharan Singh v. State of Punjab*, (2020) 10 SCC 200, the Hon'ble Supreme Court held that there must exist a proximate and live link between the acts of the accused and the decision of the deceased to commit suicide, and that the prosecution must prima facie establish an intention on the part of the accused to provoke, incite, or encourage the commission of suicide.

11. At the stage of considering a petition for anticipatory bail, the Court is not expected to undertake a detailed appreciation of evidence or conduct a mini-trial. The Court is required to assess, inter alia, the nature of allegations, the specific role attributed to the accused, the necessity for custodial interrogation, the possibility of absconding, and the likelihood of tampering with evidence.

12. Considering the above mentioned aspects and having regard to the limited role presently attributed to the petitioner, namely accompanying the other accused and demanding repayment of the loan amount, coupled with the petitioner's willingness to cooperate with the investigation, the absence of any material indicating the necessity of custodial interrogation, and the fact that there appears to be no impediment in securing his presence during the course of investigation or trial, this Court is of the considered

opinion that the petitioner has made out a fit case for grant of anticipatory bail.

13. Accordingly, the Criminal Petition is allowed. The petitioner/Accused No.4 shall be enlarged on anticipatory bail, subject to such conditions to ensure his continued cooperation with the investigation.

(A) The petitioner-accused No.4 shall surrender before the Station House Officer, Keesara, Malkajgiri, on or before 03.07.2026. Upon such surrender or on arrest, the Station House Officer shall release the petitioner on bail on executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 Saturday between 09:00 a.m. to 05:00 p.m. for a period of twelve (12) weeks from the date of his release on bail and shall cooperate with the investigation in all respects.

(C) 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.

(D) 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.

(E) Any violation of the above conditions shall entail cancellation of bail in accordance with law.

10. Pending miscellaneous applications, if any, shall stand closed.

Date: 18.06.2026

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N.TUKARAMJI, J

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