

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.9307 OF 2026

DATE : 01.07.2026

Between :

Bollepogu Kurmaiah

... Petitioner/Accused

And

The State of Telangana

... Respondent/Complainant

: ORDER :

This Criminal Petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner praying this Court to enlarge him on bail who is accused in Crime No.222 of 2026 of Nagole Police Station, Malkajgiri District. The offences alleged against the petitioner are under Sections 103(1) of Bharatiya Nyaya Sanhita, 2023.

2. The brief facts of the case are that the deceased, Mamatha, aged about 21 years, married the petitioner,

Kurmaiah, in a love marriage on 04.01.2026, which was subsequently accepted by both families. After the marriage, they resided together at a rented house in Raghavendra Colony, Nagole. About two months prior to the incident, the deceased informed her parents that she had missed her menstrual cycle and that the petitioner had been physically assaulting and harassing her. On 10.04.2026 at about 9.30 p.m., the petitioner informed the complainant's husband that Mamatha had fallen down. The complainant and her family rushed to the house and found her unconscious with bleeding head injuries. She was shifted to Supraja Hospital and thereafter to Gandhi Hospital, where she succumbed to the injuries on 11.04.2026. Suspecting that the petitioner had assaulted the deceased and caused her death, the complainant lodged the report, basing on which the police registered the case and took up investigation.

3. Heard Sri D.L.Pandu, learned counsel appearing for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner contended that the petitioner is innocent and has been falsely implicated in the present case. He submitted that there are no eyewitnesses to

the alleged incident and that the prosecution case rests entirely on circumstantial evidence. The FIR is based on information received by the complainant from others, as the complainant was not present at the scene of occurrence. It was further submitted that the petitioner and the deceased were in a love relationship for about six years and subsequently married with the consent of both families, and that the prosecution case, at best, discloses a matrimonial dispute arising out of a sudden quarrel without any premeditation or intention to commit murder. Learned counsel argued that the alleged weapon is only a common household utensil and that the deceased was shifted to the hospital and underwent treatment before her death, making the exact cause of death a matter to be established during trial through medical and scientific evidence. He further submitted that the petitioner himself informed the parents of the deceased about the incident and facilitated her shifting to the hospital, which is inconsistent with an intention to commit murder. It was also contended that the alleged confession made before the police is inadmissible in evidence, and the recovery of a household utensil does not by itself establish the petitioner's guilt. He further submitted that the petitioner was arrested on 13.04.2026, the investigation has substantially been completed,

and his further custodial detention is unnecessary. The petitioner has no criminal antecedents and is the sole breadwinner of his family, his continued incarceration is causing undue hardship. Hence, prayed this Court to grant bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor vehemently opposed the bail application, contending that the petitioner is charged with a grave offence punishable under Section 103(1) of the BNS involving the homicidal death of his wife. Considering the seriousness of offence, petitioner is not entitled to bail and prayed to dismiss this petition.

6. Having regard to the submissions made by the learned counsel for the petitioner and the learned Additional Public Prosecutor, and the material placed on record, the petitioner is in jail from 13.04.2026 and the record shows that Lws.1 to 21 are examined. Considering the period of incarceration of petitioner in jail and the progress in investigation, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner shall execute 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 I-Additional Junior Civil Judge-cum-I-Additional Judicial Magistrate of First Class, R.R.District at L.B.Nagar.

- ii. The petitioner shall appear before the concerned SHO between 09.00 a.m and 5.00 p.m., on every Monday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 483(2) of the BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date : 01.07.2026
Rds

K. SUJANA, J

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