IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.16361 OF 2026

(CNR No. HBHC010687842026)

DATE: 13.10.2026

Between :

Tejavath Srinu.

... Petitioner-accused.

AND

The State of Telangana and another.

... Respondents

ORDER:

This Criminal Petition is filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita, 2023* (for short, 'BNSS'), seeking the relief of pre-arrest bail.

2. The petitioner is arrayed as accused in Crime No.166 of 2026 on the file of the Petbasheerabad Police Station, Cyberabad District, facing accusations under Section 108 of the *Bharatiya Nyaya Sanhita, 2023* (for short, 'BNS').

3. Heard Mr.Y.Bala Murali, learned Counsel for the petitioner, and Mr.Syed Yasar Mamoon, learned Assistant Public Prosecutor, representing the respondent No.1-State.

4. The prosecution case, in brief, is that the complainant's sister was married to the petitioner/accused in the year 2008, and the couple had three children. She allegedly died by suicide by hanging on 01.02.2026. The complainant further alleged that the petitioner's extramarital affair, coupled with frequent quarrels and his alleged instigation, caused mental distress to the deceased and ultimately drove her to take the extreme step of committing suicide. On the basis of the report lodged by the complainant, a crime was registered.

5.1. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case solely on account of his relationship with the deceased. It is further submitted that the crime was initially registered under Section 194 of the BNSS, pursuant to which the petitioner was served with a notice under Section 35(3) of the BNSS. However, during the course of the investigation, the Investigating Agency is stated to have altered the section of law from Section 194 of the BNSS to Section 108 of the BNS. In view of the said alteration, the petitioner apprehends arrest and other coercive action at the hands of the police and has, therefore, approached this Court by filing the present petition.

5.2. Learned counsel further submits that the allegations regarding the petitioner's alleged extramarital affair, frequent quarrels with the deceased, and the alleged *panchayaths* held in the presence of village elders are unsupported by any material on record. Nevertheless, the petitioner is willing to fully cooperate with the investigation and abide by

any conditions that may be imposed. On the aforesaid grounds, learned counsel prays for the grant of anticipatory bail.

6. Learned Additional Public Prosecutor, on the other hand, opposes the petition, contending that the investigation is still in progress and that the section of law was altered on the basis of the statements of witnesses recorded during the investigation. It is submitted that the material collected thus far prima facie indicates that the petitioner had developed an illicit relationship and had been repeatedly quarrelling with and harassing the deceased, thereby causing her mental distress and allegedly leading her to commit suicide. Accordingly, the prosecution contends that there is prima facie material against the petitioner. Learned Additional Public Prosecutor fairly acknowledges that, after service of notice under Section 35(3) of the BNSS, the petitioner has cooperated with the investigation. However, it is contended that in the changed circumstances, the petitioner's custodial presence may be necessary for the effective investigation and dismissal of the petition is accordingly sought.

7. I have carefully considered the rival submissions and perused the materials on record.

8. The specific allegations against the petitioner are that he had developed an illicit relationship and repeatedly quarrelled with and harassed the deceased, despite the matter having been brought to the

notice of the elders, thereby causing her mental distress and allegedly driving her to commit suicide.

9. Section 108 read with Section 45 of the BNS, requires the essential ingredients of abetment to be prima facie established. Mere marital discord or quarrels, without the requisite instigation or intentional aid, would not, by themselves, constitute abetment of suicide. The principles laid down by the Hon'ble Supreme Court in *M. Mohan v. State represented by the Deputy Superintendent of Police*, (2011) 3 SCC 626, are relevant in this regard. However, any definitive conclusion regarding the petitioner's alleged role would be premature at this stage.

10. In considering the petitioner's claim for anticipatory bail under Section 482 of the BNSS, this Court takes note of the fact that the petitioner has cooperated with the investigation following the issuance of notice under Section 35(3) of the BNSS, as fairly acknowledged by the prosecution. Further, no compelling circumstance has been demonstrated to establish the necessity of the petitioner's custodial interrogation. Having regard to the nature of the allegations, the stage of the investigation and the petitioner's cooperation, the principles laid down in *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565, and *Sushila Aggarwal v. State (NCT of Delhi)*, (2020) 5 SCC 1, warrant consideration of the petitioner's right to liberty alongside the requirements of an effective investigation.

11. Accordingly, this Court is of the considered view that the petitioner has made out a case for grant of anticipatory bail. The petition is, therefore, liable to be allowed, subject to appropriate conditions to ensure his continued cooperation with the investigation.

12. Accordingly, this Criminal Petition is allowed, subject to following conditions.

(A) The petitioner/accused shall surrender before the Station House Officer, Petbasheerabad Police Station, Cyberabad, on or before 27.10.2026. Upon such surrender or in the event of arrest the Station House Officer shall release him 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 Investigating officer on every Wednesday between 10.00AM to 03.00PM, for a period of twelve (12) weeks from the date of his release on bail or until the filing of the final result, whichever is earlier.

(C) The petitioner shall remain available for investigation as and when required by the Investigating Officer and shall cooperate fully with the investigation.

(D) The petitioner shall furnish his complete residential address and contact details to the Investigating Officer and shall keep the same updated throughout the course of investigation.

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

(F) The petitioner shall strictly comply with all the conditions contemplated under Section 482(2) of the BNSS.

(G) Any wilful breach or violation of any of the aforesaid conditions shall render the petitioner liable to appropriate proceedings before the court below, including cancellation of bail, in accordance with the provisions of the BNSS and other applicable law.

13. 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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mmr

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