IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.17359 OF 2026

(CNR. No.HBHC010728412026)

DATE: 13.11.2026

Between :

Ramu Sowithri.

… Petitioners/Accused.

AND

The State through SHO PS Subedari, rep., by Public Prosecutor.

… Respondent.

ORDER:

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

2. The petitioner is arrayed as Accused in FIR No.523 of 2026 on the file of Subedari police station, for the offences punishable under Section 108 of the *Bharatiya Nyaya Sanhita*, 2023 (for short, "BNS").

3. Heard Mr. V. Surender Rao, learned counsel for the petitioner, and Mr. Syed YasarMamoon, learned Additional Public Prosecutor, appearing for the respondent-State and Mr. Manav Kumar Bandar, learned Counsel for respondent No.2/defacto-complainant.

4. Briefly stated, the case of the prosecution is that the father of the de facto complainant had been running a hotel under the name and style of *Lingala Kedari Food Court* at Adalat Junction, Hanamkonda, for the past 22 years in rented premises, with his wife assisting him in the business. Owing to financial difficulties, the father of the de facto complainant had fallen into arrears of rent. It is alleged that, on 09.09.2026, during the afternoon, the accused, being the son of the owner of the premises, visited the hotel in the absence of the deceased's father, abused him in filthy language and locked the hotel shutter. When the deceased, on returning to the premises, requested the accused to open the shutter, he allegedly refused to do so. Thereafter, being mentally distressed by the conduct of the accused and the pressure exerted upon them for payment of the outstanding rent, both the deceased allegedly broke open the shutter and entered the hotel premises. At about 7:45 p.m., they allegedly poured kerosene over themselves and set themselves ablaze. On noticing the incident, the hotel worker, with the assistance of others, shifted them to the hospital. However, both subsequently succumbed to their injuries. The

complainant alleged that the accused, by abusing the deceased, locking the hotel premises and pressurising them for payment of the outstanding rent, had driven them to commit suicide. Basing on the said report, a crime came to be registered.

5.1. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated at the instance of the de facto complainant, who is attempting to shift the responsibility for the unfortunate incident onto the petitioner. The petitioner denies having threatened or pressurised the deceased in any manner. It is contended that, on 09.09.2026, the mother of the de facto complainant voluntarily handed over one set of keys of the hotel premises to the petitioner and intended to remove the remaining articles on the following day. In support of this contention, reliance is placed on an alleged voice message sent by the father of the de facto complainant at about 4:30 p.m. on the date of the incident, which, according to the petitioner, corroborates his version.

5.2. Learned counsel for the petitioner further submits that the deceased were already facing financial difficulties, substantial debts and pressure from creditors, besides certain litigations and alleged humiliation at the hands of the de facto complainant and other family members. Therefore, according to the petitioner, the unfortunate incident cannot be attributed to his conduct. It is contended that a mere

demand for payment of outstanding rent or a request to vacate the premises on account of default in payment of rent, even if accepted, would not, in the absence of intentional instigation or aid, constitute abetment of suicide.

5.3. In support of the aforesaid submissions, learned counsel places reliance on *M. Arjunan v. State represented by Inspector of Police*, (2019) 3 SCC 315; *Madan Mohan Singh v. State of Gujarat*, (2010) 8 SCC 628; *Abhishek v. State of Rajasthan*, Criminal Petition Nos. 9630 and 9123 of 2021, dated 13.12.2022 (Telangana High Court); *Seni Thirupathi v. State of Telangana*, Criminal Petition Nos. 9630 and 9123 of 2021, dated 13.12.2022; and *Mohanlal v. State of Madhya Pradesh*, Criminal Petition No. 1134 of 2023, dated 14.03.2024, in support of the legal principles governing the offence of abetment of suicide and the requirement of intentional instigation or aid.

5.4. It is further submitted that no custodial interrogation of the petitioner is warranted in the facts and circumstances of the case. The petitioner undertakes to cooperate with the investigation and submits that he is a permanent resident of Hanamkonda, has family responsibilities and is neither likely to abscond nor tamper with the evidence, particularly when the material witnesses are known persons and family members of the deceased. Accordingly, contending that his

arrest would cause irreparable prejudice, learned counsel seeks grant of anticipatory bail.

6.1. Learned Additional Public Prosecutor opposes the petition and submits that the deceased had been running a hotel in the rented premises and had fallen into arrears of rent owing to financial difficulties. It is alleged that, on 09.09.2026, the accused abused the deceased in filthy language and locked the hotel shutter. When the deceased returned to the premises and requested him to open the shutter, the accused allegedly refused, thereby causing them severe mental distress. Unable to withstand the alleged conduct of the accused and the pressure exerted upon them for payment of rent, both the deceased allegedly broke open the shutter, entered the premises, poured kerosene over themselves and set themselves ablaze. It is contended that the accused, through his alleged harassment, abuse and pressure for payment of rent, drove the deceased to commit suicide.

6.2. The learned Additional Public Prosecutor further submits that the case was registered against the petitioner, who is the sole accused, for the offence of abetment of suicide and that the investigation is still in progress for the collection of material evidence. Apprehending that the petitioner, if enlarged on bail, may not cooperate with the

investigation, the learned Additional Public Prosecutor prays for dismissal of the petition.

7.1. Learned counsel appearing for the de facto complainant submits that the accused had been continuously harassing the deceased for payment of rent for about one month prior to the incident and had been pressurising them to vacate the hotel premises by threatening them with dire consequences. It is further alleged that, on 09.09.2026, the accused abused the mother of the complainant, broke open the kitchen lock, replaced it with his own lock and took control of the articles and utensils in the premises, thereby depriving the deceased of their source of livelihood.

7.2. It is further alleged that the accused sent two photographs relating to the incident to the father of the complainant through WhatsApp. Thereafter, the deceased approached the accused and pleaded with him to permit them to continue their hotel business. In support of these allegations, reliance is placed on CCTV footage/photos allegedly showing the father of the complainant touching the feet of the accused, as well as WhatsApp call records exchanged between them.

7.3. It is also submitted that, at about 7:30 p.m. on 09.09.2026, the father of the complainant sent his last voice message to the accused,

stating that he was an honest person and that the accused had not cooperated with him. According to learned counsel, the said voice message constitutes relevant electronic evidence. It is contended that immediately thereafter, at about 7:45 p.m., both the deceased poured kerosene over themselves and set themselves ablaze.

7.4. Learned counsel further contends that the continuous harassment, humiliation, threats and forcible closure of the hotel had a direct nexus with the suicide and that the WhatsApp photographs, CCTV footage, call records and the last voice message would establish the circumstances leading to the incident. It is further submitted that custodial interrogation of the petitioner is necessary for the recovery of the locks, keys and articles allegedly taken from the premises, as well as the mobile phone said to contain relevant electronic evidence, and for securing the complete CCTV footage. Learned counsel also expresses apprehension that, as the petitioner is in control of the premises where the CCTV cameras are installed, he may tamper with or destroy the electronic evidence and influence the material witnesses. On these grounds, learned counsel appearing for the de facto complainant prays for dismissal of the petition.

8. I have carefully considered the rival submissions of the learned counsel and perused the materials available on record.

9. The allegations arise out of a landlord-tenant dispute concerning arrears of rent and the continuation of the deceased couple's hotel business in the rented premises. Though the allegations that the petitioner abused the deceased, locked the premises and pressurised them to vacate the same are serious and warrant thorough investigation, the essential ingredients of the offence of abetment of suicide cannot be presumed merely on the ground that the deceased couple committed suicide following the alleged incident. It is incumbent upon the prosecution to establish that the petitioner intentionally instigated, conspired in or aided the commission of suicide and that his alleged conduct had the requisite proximity and nexus with the act of suicide.

10. The petitioner has specifically denied the allegations of harassment and coercion and asserted that the mother of the de facto complainant voluntarily handed over one set of keys of the hotel premises to him on 09.09.2026 and that the deceased intended to remove their remaining articles from the premises. He also places reliance on an alleged voice message sent by the father of the de facto complainant at about 4:30 p.m. on the date of the incident. The petitioner further contends that the deceased were already facing financial difficulties, indebtedness, pressure from creditors and humiliation at the hands of family members. These rival contentions

cannot be treated as established facts at this stage. Nevertheless, they are matters requiring investigation and consideration along with the prosecution version.

11. The alleged CCTV footage, WhatsApp photographs, call records and voice messages relied upon by the impleading respondent also require to be collecting, preserving, authenticating and examining in accordance with law. The mere assertion of the existence of such electronic material does not, by itself, establish the guilt of the petitioner. The legal position is well settled that a mere demand for repayment of money, use of abusive language or the existence of a dispute between the parties, in the absence of the requisite intention to instigate or aid the commission of suicide, would not, by itself, constitute abetment of suicide.

12. In *M. Arjunan* (supra), the Hon'ble Supreme Court held that the requisite intention to instigate the deceased to commit suicide must be established. In *Madan Mohan Singh* (supra), the necessity of a proximate link between the alleged acts of the accused and the commission of suicide, coupled with the requisite mens rea, was emphasised. These principles are relevant while examining the allegations in the present case under the applicable provisions of the BNS. At this stage, the material placed before this Court does not conclusively demonstrate that the alleged conduct of the petitioner was

accompanied by the requisite intention or that his custodial detention is indispensable for establishing the ingredients of the alleged offence. It is also significant that, according to the petitioner, the statements of seven witnesses have already been recorded. The prosecution has not specifically identified any recovery that can be effected only through custodial interrogation, nor has it disclosed any specific instance of the petitioner having threatened witnesses, attempted to destroy evidence or evaded the process of investigation. The apprehension that the petitioner may fail to cooperate with the investigation or interfere with the evidence can be addressed by imposing appropriate conditions.

13. Having regard to the facts and circumstances of the case, this Court is of the considered view that the interests of justice and the requirements of a fair and effective investigation can be adequately safeguarded by imposing appropriate conditions, without subjecting the petitioner to custodial detention at this stage.

14. Accordingly, the Criminal Petition is allowed, subject to the following conditions:

a) Petitioner/Accused shall surrender before the Station House Officer, Subedari police station, on or before 28.11.2026. Upon such surrender, or in the event of their arrest, the Station House Officer shall release him on bail upon his executing 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 Tuesday between 10:00 a.m. and 3:00 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 furnish his complete residential addresses and contact details to the Investigating Officer and shall keep the same updated throughout the proceedings before the trial court.

d) Additionally, the petitioner shall remain available as and when required by the investigating officer during the course of investigation.

e) The petitioner shall neither directly nor indirectly induce, threaten, influence, nor contact any prosecution witness, nor shall they tamper with the prosecution evidence in any manner whatsoever.

f) In the event of breach of any of the aforesaid conditions by the petitioner, the prosecution shall be at liberty to take appropriate steps seeking cancellation of bail.

15. 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.

Pending miscellaneous applications, if any, shall stand closed.

Date: 13.11.2026 **N.TUKARAMJI, J**

MRKR

THE HON'BLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.17359 OF 2026

13.11.2026

MRKR