IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No. 17638 OF 2026

(CNR No. HBHC010738042026)

DATE: 02.11.2026

Between :

Suraram Gangaiah and three others.

… Petitioners/Accused Nos. 2 to 5

AND

The State of Telangana, Represented by its Public Prosecutor, High Court for the State of Telangana at Hyderabad. (Through SHO, Chandanagar P.S., Ranga Reddy District)

… Respondent/Complainant.

ORDER

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

2. The petitioners are arrayed as Accused Nos. 2 to 5 in Crime No. 571 of 2026 of Chandanagar Police Station, Cyberabad Commissionerate, registered for the offence punishable under Section 80(2) read with Section 3(5) of the *Bharatiya Nyaya Sanhita, 2023* (for short, "BNS").

3. Heard Mr. P. Padma Rao, learned counsel for the petitioners and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor, appearing for the respondent-State.

4.1. The prosecution case, in brief, is that the de facto complainant is the mother of the deceased. As per the report lodged by her, her daughter was married to Accused No.1 on 21.05.2025, and they lived together as husband and wife. At the time of marriage, the de facto complainant is stated to have promised to give two tulas of gold, as and when she was in a position to do so. However, about a month after the marriage, Accused No.1, along with the petitioners herein, who are his parents, brother-in-law and co-sister, allegedly started harassing the deceased by insisting that she bring the promised gold. They are also alleged to have threatened that the deceased would not be taken back to the matrimonial home unless the promised gold was brought. Subsequently, at the request of the de facto complainant and her husband, the deceased was taken back to the matrimonial home. Even thereafter, the deceased is stated to have informed the de facto complainant that the accused continued to insist that she could return to the matrimonial home only upon bringing the promised gold. In these circumstances, the de facto complainant is stated to have sold her ear studs and handed over the sale proceeds to the deceased for meeting their expenditure.

4.2. Thereafter, the deceased and Accused No.1 had shifted to Chandanagar. However, the petitioners are alleged to have instigated Accused No.1 to subject the deceased to harassment in various ways and also prevented her from maintaining contact with her maternal relatives. Unable to bear the alleged harassment, the deceased is stated to have consumed phenyl on 07.02.2026 and was subsequently shifted to a hospital for treatment. It is further alleged that, after the treatment, the accused failed to bear the medical expenses, thereby neglecting her treatment and abandoning her. Consequently, the de facto complainant met the medical expenditure by selling agricultural land belonging to her. Thereafter, the deceased was brought to her parental home, where she eventually succumbed to her condition on 26.05.2026. On these allegations, attributing involvement to Accused No.1 as well as the petitioners herein, the de facto complainant lodged a report, pursuant to which, the present crime was registered.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case solely on account of their relationship with Accused No.1. He contends that, even according to the allegations in the complaint, Accused No.1 and the deceased were residing separately at the relevant point of time and that there is no material to indicate that the petitioners either subjected the deceased to harassment or instigated Accused No.1 to harass her.

Therefore, it is contended that the allegations levelled against the petitioners are vague, general in nature and unsupported by any material evidence. Learned counsel further submits that the principal accused, namely, Accused No.1, has already been arrested and subsequently enlarged on bail. He also brings to the notice of this Court that, on 27.05.2026, the family members of the petitioners and Accused No.1 entered into a Memorandum of Understanding with the de facto complainant and her family members, on the advice of elders, whereby they agreed to pay certain amounts, and part payments were also made pursuant thereto. It is further contended that the petitioners have been residing separately and that the alleged consumption of phenyl and the subsequent death of the deceased occurred after Accused No.1 and the deceased had commenced separate residence at Chandanagar. In such circumstances, according to learned counsel, the allegations against the petitioners do not disclose any specific or direct overt acts on their part and are merely omnibus in nature. He also submits that the petitioners are ready and willing to cooperate with the investigation and abide by any conditions that may be imposed by this Court. On these grounds, learned counsel prays for grant of anticipatory bail to the petitioners.

6. Per contra, learned Additional Public Prosecutor opposes the bail application and submits that the investigation is still in progress. He contends that the involvement of the petitioners has been specifically alleged by the

de facto complainant and that their role is not confined to general or omnibus allegations. According to him, the petitioners had directly subjected the deceased to harassment during the period when she was residing in the matrimonial home and, even after the deceased and Accused No.1 started residing separately, they continued to instigate Accused No.1 to subject her to further harassment. He further submits that the deceased, unable to withstand the continuous harassment meted out to her, allegedly consumed phenyl within approximately one year of her marriage and eventually succumbed to her condition. It is, therefore, contended that the allegations disclose the active involvement of the petitioners in the alleged offences and that their presence and cooperation are necessary for an effective and complete investigation. On these grounds, learned Additional Public Prosecutor prays for dismissal of the anticipatory bail application.

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

8. The principal allegation levelled against the petitioners is that they subjected the deceased to harassment and cruelty on the ground that the de facto complainant had allegedly promised to give two tulas of gold at the time of her marriage with Accused No.1. It is alleged that the petitioners insisted upon fulfilment of the said promise and, in furtherance of the same, subjected the deceased to harassment, either directly or by instigating Accused No.1. Thus, the gravamen of the accusation against the petitioners

is their alleged involvement in the matrimonial harassment of the deceased on account of the non-fulfilment of the demand for gold.

9. At the outset, it is necessary to reiterate that the jurisdiction exercised by this Court while considering an application seeking anticipatory bail is essentially discretionary in nature and is required to be exercised judiciously, having regard to the facts and circumstances of each case. At this stage, the Court is not expected to undertake a meticulous examination of the prosecution material, appreciate the evidence as though conducting a trial, or record conclusive findings on the disputed questions of fact. Nevertheless, the Court is required to undertake a prima facie assessment of the nature and gravity of the accusation, the specific role attributed to each applicant, the material collected during the investigation, the antecedents of the applicants, the possibility of their absconding or influencing witnesses, and the necessity of their custodial interrogation, wherever such necessity is demonstrated.

10. In *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565, the Constitution Bench of the Hon'ble Supreme Court held that the power to grant anticipatory bail is to be exercised on the basis of the particular facts and circumstances of each case and that no inflexible restrictions ought to be imposed upon the exercise of such judicial discretion. Further, in *Sushila Aggarwal v. State (NCT of Delhi)*, (2020) 5 SCC 1, the Constitution Bench reiterated that the Court, while considering a prayer for anticipatory bail,

ought to be guided by the nature and gravity of the accusation, the role attributed to the applicant and the overall facts and circumstances of the case. The Court also clarified that the grant of anticipatory bail does not, by itself, curtail or obstruct the investigating agency's authority to carry out an effective investigation. Thus, the consideration of a bail application requires a judicious balance between the individual's right to personal liberty and the legitimate interests of an effective and fair investigation.

11. In the present case, the allegations against the petitioners primarily relate to their alleged involvement in subjecting the deceased to harassment on account of the non-fulfilment of the promise to give two tulas of gold. Though the prosecution attributes a role to the petitioners in the alleged harassment, the nature of the allegations, as presently placed before this Court, does not disclose specific particulars of the individual overt acts allegedly committed by each of the petitioners. It is also the specific contention of the petitioners that, after Accused No.1 and the deceased started residing separately at Chandanagar, the petitioners had no direct interaction with the deceased and that their alleged involvement thereafter is confined to the accusation that they instigated Accused No.1 to harass her. However, the mere fact that the deceased and Accused No.1 were residing separately cannot, by itself, be a ground to completely exclude the possibility of the petitioners having instigated or abetted the alleged harassment. Equally, the allegations made against the petitioners cannot be accepted as

conclusively established merely on the basis of the accusations in the complaint. Whether the petitioners had, in fact, subjected the deceased to cruelty or instigated Accused No.1 to do so, and whether such conduct had any nexus with the subsequent events leading to the deceased consuming phenyl and her eventual death, are matters which require proper investigation and appreciation of the material to be collected. This Court is, therefore, not inclined to record any conclusive finding on the merits of those allegations at this preliminary stage.

12. Nevertheless, while the investigation must be permitted to proceed unhindered, the nature of the allegations, the specific role attributed to the petitioners, and having regard to the overall facts and circumstances of the case, and taking note of the petitioners' expressed willingness to cooperate with the investigation, this Court, without expressing any opinion on the merits of the allegations and subject to appropriate conditions, is inclined to extend the benefit of anticipatory bail to the petitioners.

13. Accordingly, the Criminal Petition is allowed. Petitioners/Accused Nos. 2 to 5 shall be enlarged on anticipatory bail, subject to the following conditions:

(A) Petitioners/Accused Nos. 2 to 5 shall surrender before the Station House Officer, Chandanagar Police Station, Cyberabad Commissionerate, on or before 17.11.2026. Upon such surrender or in

the event of arrest, the Station House Officer shall release the petitioners/Accused Nos. 2 to 5 on bail on execution of personal bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties for a like sum each, to the satisfaction of the said Officer.

(B) Petitioners/Accused Nos. 2 to 5 shall remain available for interrogation as and when required by the Investigating Officer during the course of investigation and shall extend full cooperation with the Investigating Officer.

(C) Petitioners/Accused Nos. 2 to 5 shall strictly comply with all the conditions contemplated under Section 482(2) of the BNSS.

(D) Petitioners/Accused Nos. 2 to 5 shall furnish their complete residential addresses, mobile numbers and other contact particulars to the Investigating Officer and shall promptly intimate any change(s) therein.

(E) Petitioners/Accused Nos. 2 to 5 shall not directly or indirectly induce, threaten, influence, or promise any person acquainted with the facts of the case, nor shall they tamper with prosecution evidence in any manner whatsoever.

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

14. 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.

N.TUKARAMJI, J

Date: 02.11.2026
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