

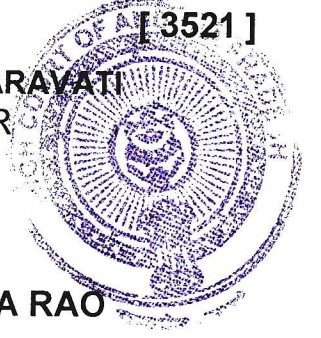
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE NINTH DAY OF OCTOBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 10134 OF 2025



Between:

1. Gurijala Venkata Subbamma, W/o.Narasimhulu @ Gurijala Peda Narasimhulu Aged about 56 years, R/o D.No.7/352-2, Bhagyanagar Colony, Near Sivalayam, Kadapa Town. (A2)
2. Gurijala Narasimhulu & Peda Narasimhulu, S/o.G.P.Narasaiah, Aged about 68 years, R/o D.No.7/352-2, Bhagyanagar Colony, Near Sivalayam, Kadapa Town. NO.2 & 3

Petitioner/Accused-2 & 3

AND

1. The State of Andhra Pradesh, Rep by the Public Prosecutor through Station House Officer, Dharmavaram II Town Police Station.

Respondent/Complainant

Petition under Section 482 of BNSS (438 of Cr.P.C.,) praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused No.2 & 3 on bail in the event of his arrest in Connection with Crime No.. 114 of 2025 dated; 31.05.2025 on the file of Dharmavaram, II town Police Station, Sri Sathya Sai district

COUNSEL FOR THE PETITIONER : SRI. CHEVURI RAMA SWAMY

COUNSEL FOR THE RESPONDENT : PUBLIC PROSECUTOR

THE COURT MADE THE FOLLOWING ORDER

ORDER:

The Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') by the Petitioners/Accused Nos.2 and 3 for granting of pre-arrest bail in connection with Crime No. 114 of 2025 of Dharmavaram II Town Police Station, Sri Sathya Sai District, registered for the alleged offence punishable under Section 85, 108 read with 3(5) of Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

CASE OF THE PROSECUTION:

2. The case of the prosecution is that the defacto complainant is the mother of the deceased wife of Accused No.1 and daughter-in-law of Accused Nos. 2 and 3, alleging that the deceased Bhagya is the wife of Accused No.1. Their marriage was solemnized at about 10 years prior to the incident, they blessed with two children. They lived happily for a period of two years and later the Accused started harassing the deceased demanding additional dowry. Accused Nos. 2 and 3 asked the deceased to give divorce to Accused No.1 so that they will perform marriage of Accused No.1 with another girl. On 31.05.2025, being unable to bear the harassment of the Accused, the deceased committed suicide by hanging. Hence the above case was registered.

CONTENTIONS OF THE COUNSEL FOR THE PETITIONER:

3. Sri Ch.Rama Swamy, learned counsel for the Petitioners submits that the Petitioners have been falsely implicated in the instant proceedings and

asserts that no offence, as alleged in the complaint, has been committed by them. It is contended that the Petitioners are the sole breadwinners of their family, and any coercive action, including arrest, would result in grave and irreparable hardship to their dependent family members. It is further submitted that the Petitioners are law-abiding citizen with a permanent place of residence and is willing to comply with any condition that this Court may deem fit and proper for the grant of anticipatory bail. The Petitioners undertake to cooperate fully with the ongoing investigation and assures the Court of their continued presence as and when required.

4. Learned Counsel for the Petitioners also submits that there is no recovery attributable to the Petitioners and that custodial interrogation is neither necessary nor justified in the facts and circumstances of the present case. The Petitioners have already extended full cooperation to the Investigating Officer and there exists no reasonable apprehension of their absconding or tampering with the prosecution evidence and it is prayed that this Court may be pleased to grant pre-arrest bail to the Petitioners/Accused No.3 and 4 in the interest of justice and equity.

ARGUMENTS OF THE ASSISTANT PUBLIC PROSECUTOR:

5. Per contra, Mr. Neelotpal Ganji, learned Assistant Public Prosecutor has strenuously opposed the prayer for anticipatory bail, asserting that the investigation is at a nascent and sensitive stage, and that custodial interrogation of the Petitioners is indispensable for unearthing material facts germane to the offence. It is submitted that enlargement of the Petitioners on

pre-arrest bail at this juncture would seriously impede the investigative process, as there exists a grave apprehension that the Petitioners may not extend requisite cooperation and may attempt to evade the due process of law.

6. The prosecution further contends that the Petitioners, if granted the relief sought, may exert undue influence upon material witnesses or tamper with incriminating evidence, thereby vitiating the integrity of the investigation and obstructing the course of justice. Given the gravity of the allegations and the potential prejudice to a fair and impartial inquiry, it is prayed that the instant application be dismissed in the interest of justice and to safeguard the sanctity of the investigative process.

7. Thoughtful consideration is bestowed on the arguments advanced by the learned Counsel for both sides. I have perused the entire record.

POINT FOR CONSIDERATION:

8. In the light of the case of the prosecution and the contentions of the learned Counsel for both the sides, now the point for consideration is:

“Whether the Petitioners are entitled for grant of pre-arrest bail?”

ANALYSIS:

9. This Court on 23.07.2025 in Criminal Petition No.7232 of 2025 enlarged the Accused No.1, who is husband of the deceased, on bail. The Petitioner No.1/ Accused No.2 is the mother-in-law and Petitioner No.2/ Accused No.3 is the father-in-law of the deceased. The Petitioner No.1 is a female, aged about 56 years and the Petitioner No.2, who is a male, aged about 68 years

respectively. So far 8 witnesses are examined. Material portion of the investigation in so far as the Petitioners are concerned is completed.

10. Considering the facts and circumstances, the gravity and nature of the allegations levelled the Petitioners, this Court is inclined to grant pre-arrest bail to the Petitioners/ Accused Nos. 2 and 3

CONCLUSION:

11. In the result, the Criminal Petition is allowed with the following conditions:

- i. In the event of arrest of the Petitioners/ Accused Nos. 2 and 3, they shall be enlarged on bail subject to their executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties for the like sum each to the satisfaction of the arresting police officials;
- ii. The Petitioners/ Accused Nos. 2 and 3 shall make themselves available for investigation as and when required;
- iii. The Petitioners/ Accused Nos. 2 and 3 shall not cause any threat, inducement or promise to the prosecution witnesses;
- iv. The Petitioners/ Accused Nos. 2 and 3 shall appear before the Station House Officer concerned once in a week i.e., on every Saturday between 10.00 a.m. and 5.00 p.m., till filing of the charge sheet.

- v. The Petitioners/ Accused Nos. 2 and 3 shall not leave the State of Andhra Pradesh limits without the express permission from the Station House Officer concerned.
- vi. The Petitioners/ Accused Nos. 2 and 3 shall surrender their passports, if any, to the investigating officer. If they claim that they do not have passports, they shall submit an affidavit to that effect to the Investigating Officer.

SD/- M.SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER

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To,

1. The Station House Officer, Dharmavaram II Town Police Station. Sri Sathya Sai district
2. One CC to SRI. CHEVURI RAMA SWAMY Advocate [OPUC]
3. Two CCs to PUBLIC PROSECUTOR, High Court of A.P.[OUT]
4. **One spare copy**

HIGH COURT

DR.YLR,J

DATED:09/10/2025

BAIL ORDER

CRLP.No.10134 of 2025

ALLOWED

