

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.10559 OF 2026

DATE : 16.07.2026

Between:

Boya Laxmi

...Petitioner

AND

The State of Telangana

...Respondent

ORDER:

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

2. The petitioner is arrayed as accused No.4 in FIR No.1086 of 2025 of Dundigal Police Station, Cyberabad, registered for the offences punishable under Sections 103, 49 read with 3(5) of *Bharatiya Nyaya Sanhita*, 2023 (for short, "BNS")

3. Heard Mr.P.Vikas Raj, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor representing the respondent-State.

4. Briefly stated, the prosecution case is that on 08.11.2025, the de facto complainant, who is the mother of the deceased, lodged a report alleging that her daughter had been murdered by two persons, namely accused Nos.1 and 2. It is further alleged that the offence was committed by accused Nos.1 and 2 at the behest of the petitioner and her husband, who are arrayed as accused Nos.3 and 4, respectively. Based on the said report, the present crime came to be registered.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has absolutely no involvement in the alleged offence. It is contended that the allegation regarding the petitioner's husband having an illicit relationship with the deceased, even if accepted at its face value, cannot, by itself, lead to the inference that the petitioner entered into a criminal conspiracy with the other accused to eliminate the deceased. Learned counsel further submits that, even according to the statements attributed to the co-accused, no specific overt act has been attributed to the petitioner, nor has any incriminating material been recovered from her. It is further submitted that the petitioner is willing to cooperate with the investigation, has a permanent place of residence, and there is no likelihood of her absconding or evading the due process of law. The petitioner also undertakes to abide by any conditions that may be imposed by this Court. On these grounds, it is prayed that extraordinary relief of anticipatory bail be granted.

6. Per contra, the learned Additional Public Prosecutor opposed the petition, contending that the involvement of the petitioner came to light during the course of investigation on the basis of the confessional statement of accused No.1, who is the nephew of the petitioner. It is submitted that the investigation has revealed that accused Nos.1 to 3 had hatched a conspiracy to murder the deceased and that the petitioner had consented to and participated in the said conspiracy. It is further alleged that, after the commission of the offence, accused No.1 telephoned the petitioner and informed her about the execution of the plan. The learned Additional Public Prosecutor further submits that accused Nos.1 to 3 were arrested on 08.11.2025, whereas the petitioner, who is arrayed as accused No.4, is yet to be apprehended. It is contended that the custodial interrogation of the petitioner may be necessary for a fair and effective investigation and that grant of anticipatory bail at this stage is likely to impede the investigation. Accordingly, it is prayed that the petition be dismissed.

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

8. The gravamen of the allegations against the petitioner is that she was a party to the criminal conspiracy allegedly hatched to cause the death of the deceased. The prosecution case against the petitioner primarily rests upon the confessional statement of accused No.1. Even according to the

prosecution version, as emerging from the said statement, the role attributed is that the petitioner had agreed to the alleged plan, and, after the offence was executed, accused No.1 is stated to have informed the petitioner over a telephone call regarding its commission. Apart from the said material, no specific overt act has been attributed to the petitioner at this stage. It is also not in dispute that the principal accused have already been arrested and that the investigation is presently in progress.

9. The power to grant anticipatory bail is an extraordinary discretionary remedy intended to safeguard the personal liberty of an individual while ensuring that the investigation is not prejudiced. While considering an application for anticipatory bail, the Court is required to strike a balance between the fundamental right to personal liberty and the societal interest in ensuring a fair, effective, and uninhibited investigation. In *Siddharam Satlingappa Mhetre v. State of Maharashtra*, (2011) 1 SCC 694, the Hon'ble Supreme Court reiterated that anticipatory bail serves to protect an individual against unnecessary arrest and humiliation, provided the applicant demonstrates willingness to cooperate with the investigation and there are no circumstances indicating that such liberty would impede the administration of justice.

10. In the present case, having regard to the nature of the allegations, the material presently available on record, the fact that the principal accused

have already been arrested, the petitioner's permanent place of residence, and her categorical undertaking to cooperate with the investigation, this Court finds no material indicating any likelihood of her absconding or evading the process of law. At this stage, the prosecution has also not demonstrated any compelling necessity for the custodial interrogation of the petitioner. In such circumstances, this Court is of the considered opinion that the petitioner has made out a case for the exercise of the discretionary jurisdiction for granting anticipatory bail, subject to conditions to secure her availability during the course of investigation and to adequately safeguard the interests of the prosecution.

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

(A). The petitioner/Accused No.4 shall surrender before the Station House Officer, Dundigal Police Station, Cyberabad, on or before 31.07.2026. Upon such surrender or in the event of arrest the Station House Officer shall release the petitioner 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 as and when required for the investigation and shall extend full cooperation in the investigation.

(C) The petitioner shall furnish her complete residential address, mobile number and other contact particulars to the Investigating Officer and shall promptly intimate any change therein.

(D) The petitioner shall not directly or indirectly induce, threaten, influence, or promise any person acquainted with the facts of the case, nor shall she tamper with prosecution evidence in any manner whatsoever.

12. 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.

Date: 16.07.2026
CHS

N.TUKARAMJI, J

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