

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.10888 OF 2026

DATE : 20.07.2026

Between:

Bollepally Srikanth

...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 sole accused in FIR No.90 of 2026 of Tekumatla Police Station, Jayashankar Bhupalpally District, registered for the offences punishable under Sections 318(4), 351(2), 108 read with Section 62 of *Bharatiya Nyaya Sanhita*, 2023 (for short, "BNS").

3. Heard Mr.J.Purnachandra Reddy, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor representing the respondent-State.

4. The prosecution case, in brief, is that the wife of the deceased lodged a complaint alleging that, about six years prior to the incident, the petitioner facilitated the sale of 160 square yards of land for a total sale consideration of Rs.15,00,000/-. However, it is alleged that he paid only Rs.7,25,000/- to the deceased and, towards the balance sale consideration, offered another plot. Subsequently, the deceased came to know that the said plot was the subject matter of disputes. Thereafter, when the deceased demanded the return of the balance sale consideration, the petitioner allegedly threatened him with dire consequences. It is alleged that, being unable to bear the distress caused by the said acts, the deceased consumed pesticide and committed suicide. Based on the said complaint, the present crime came to be registered.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case without there being any substantive material connecting him with the alleged offence. It is further submitted that, at the request of the deceased, the petitioner had merely arranged a purchaser for the subject property, which was ultimately conveyed under a registered sale deed dated 09.01.2023. Learned counsel contends that the petitioner was neither the beneficiary of the transaction nor had he, at any point of time, instigated or abetted the deceased to commit suicide. Nevertheless, the petitioner undertakes to cooperate with the investigation, appear before the Investigating Officer as and when required,

and abide by any conditions that may be imposed by this Court. On these grounds, learned counsel prays for the grant of anticipatory bail.

6. Per contra, the learned Additional Public Prosecutor opposed the petition, contending that the material collected during the course of investigation prima facie indicates that the petitioner deceptively misappropriated a portion of the sale consideration by offering a disputed property towards the balance amount payable to the deceased. It is further alleged that, when the deceased demanded repayment of the amount, the petitioner threatened him with dire consequences, which caused severe mental distress, ultimately leading the deceased to commit suicide. It is submitted that the investigation is still in progress and that the custodial interrogation of the petitioner may be necessary for an effective investigation. It is further contended that, if granted anticipatory bail, the petitioner may not cooperate with the investigation. On the aforesaid grounds, the learned Additional Public Prosecutor prayed that the present petition be dismissed.

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

8. The gravamen of the allegation against the petitioner is that, towards the balance sale consideration payable to the deceased, he allegedly offered a disputed property and, when the deceased questioned the same and demanded repayment of the amount, the petitioner allegedly threatened him

with dire consequences. According to the prosecution, the deceased, being unable to bear the mental distress arising out of the said conduct, consumed pesticide and committed suicide.

9. A careful perusal of the material available on record discloses that the investigation has progressed substantially and that the material witnesses have already been examined. At this stage, except the allegations contained in the complaint and the statements recorded during the course of investigation, no further material has been brought on record indicating any specific act or conduct on the part of the petitioner immediately preceding the suicide that prima facie constitutes instigation, intentional aid, or active participation in the commission of the alleged offence.

10. It is well settled that, for attracting the offence of abetment of suicide, there must be prima facie material demonstrating the essential ingredients of "abetment" as contemplated under the BNS. Mere harassment, breach of contractual obligations, civil disputes, or general allegations of intimidation, in the absence of material disclosing a direct or proximate act of instigation or intentional aid compelling the deceased to commit suicide, would not, by themselves, constitute the offence of abetment. There must exist a live and proximate link between the conduct attributed to the accused and the decision of the deceased to end his life.

11. In *Gurcharan Singh v. State of Punjab*, (2020) 10 SCC 200, the Hon'ble Supreme Court reiterated that, to constitute the offence of abetment of suicide, there must be proof of direct or indirect acts of incitement coupled with the requisite *mens rea*, and that mere allegations of harassment, without a positive act of instigation, would not suffice. Similarly, in *Geo Varghese v. State of Rajasthan*, (2021) 19 SCC 144, the Hon'ble Supreme Court held that, in the absence of any material indicating an intention on the part of the accused to provoke, incite, or compel the deceased to commit suicide, continuation of criminal proceedings for the offence of abetment would not be justified. Likewise, in *M. Mohan v. State*, (2011) 3 SCC 626, it was observed that there must be a clear *mens rea* to commit the offence of abetment and an active or direct act leading the deceased to commit suicide, leaving no option except to take the extreme step.

12. So far as the present petition for anticipatory bail is concerned, it is equally well settled that the Court is required to balance the valuable right to personal liberty guaranteed with the necessity of ensuring a fair and effective investigation. In *Sushila Aggarwal v. State (NCT of Delhi)*, (2020) 5 SCC 1, the Constitution Bench of the Hon'ble Supreme Court held that the power is intended to protect individual liberty and that the grant of anticipatory bail must depend upon the facts and circumstances of each case. Likewise, in *Arnesh Kumar v. State of Bihar*, (2014) 8 SCC 273, the Hon'ble Supreme

Court cautioned against routine arrests and held that arrest should not be made merely because the alleged offence is cognizable and non-bailable.

13. In the present case, having regard to the nature of the allegations, the material collected during investigation, the absence of any criminal antecedents attributed to the petitioner, the substantial progress in the investigation, the petitioner's expressed willingness to cooperate with the Investigating Officer, and the absence of any material suggesting that he is likely to abscond, influence witnesses, or tamper with the evidence, this Court does not find any compelling circumstance warranting his custodial interrogation at this stage. Consequently, while refraining from expressing any opinion on the merits of the case, this Court is of the considered view that the petitioner has made out a fit case for grant of anticipatory bail, subject to appropriate conditions to secure his availability during the investigation and to adequately safeguard the interests of the prosecution.

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

(A). The petitioner/Accused shall surrender before the Station House Officer, Tekumatla Police Station, Jayashankar Bhupalpally District, on or before 03.08.2026. 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 petitioners shall appear before the Investigating officer on every Monday between 09.00AM to 05.00PM, 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 remain available for interrogation as and when required during the course of investigation and shall extend full cooperation to the investigation.

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

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

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. Miscellaneous applications, if any pending, shall stand closed.

Date: 20.07.2026
CHS

N.TUKARAMJI, J

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