IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION Nos.16357, 16358, 16359, 16364 and 16365 of 2025

DATE: 16.12.2025

Between:

Mrs. Sunita Pitty and others

.... Petitioners/accused Nos.1 to 5

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad.

.... Respondent/Complainant

COMMON ORDER:

These Criminal Petitions are filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioners, who are arrayed as accused in Crime No.321 of 2025 of Bahadupura Police

Station, Hyderabad District, registered for the offences punishable under Sections 85 and 108 of the BNS.

2. The case of the prosecution is that, on 17.11.2025, the de-facto complainant lodged a report before the police stating that the marriage of the petitioner, who is accused No.1, with the deceased was performed in the year 2021 and after the marriage, accused Nos.1 to 5 used to harass the deceased on various grounds and even after birth of the child in the year 2024, all the accused harassed the deceased, as such, she left the house of the in-laws and residing with the de-facto complainant and on 03.11.2025, she left the home along with her daughter and he gave a missing complaint on 03.11.2025 and thereafter, the police found the dead body of the deceased on 03.11.2025. Thereafter, basing on the complaint given by the de-facto complainant, the police altered the sections for the offences punishable under Sections 85 and 108 of the BNS.

3. Heard Sri Anshul Agarwal, learned counsel appearing on behalf of the petitioners as well as Sri D. Arun Kumar,

learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the said allegations and immediately before the incident, she was residing with her parents and earlier, the complaint of the de-facto complainant itself shows that there was an argument took place between the family members on 03.11.2025, after the said argument, she left the house of the de-facto complainant and there is no such investigation done by the investigating authority with regard to the role of the de-facto complainant, whether he abated the deceased to commit suicide and thus, the petitioners are no way connected with the deceased on the date of incident and they are falsely implicated and as such, none of the offence is attracted to the petitioners and in the year 2023 itself, the accused No.1 filed a divorce petition, wherein, he clearly stated that in the divorce petition that the deceased used to threaten accused No.1 saying that she will commit suicide and implicated the accused No.1 in false cases, which shows that there is a threat from the deceased to the accused No.1, as such, he filed divorce petition.

Therefore, he prayed the Court to grant pre-arrest bail to the petitioners by allowing these criminal petitions.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by learned counsel for petitioners stating that there are serious allegations against all the petitioners. It is further submitted that when the deceased went to the house of accused No.1, all the petitioners harassed the deceased and due to that harassment only the deceased committed suicide along with her two years old daughter, therefore, the petitioners herein are not entitled for the anticipatory bail and prayed the Court to dismiss the Criminal Petitions.

6. In the light of the submissions made by both the learned counsel and on a perusal of the material available on record, it appears that initially the de-facto complainant lodged a report before the police for woman missing stating that, on 03.11.2025, the deceased along with her daughter left the house after an argument between the family members and thereafter, the police found the dead body of the deceased in the hussain sagar and later, altered the sections and

admittedly, all the petitioners are not residing with the deceased on the date of alleged incident and the deceased was residing with the de-facto complainant. Further, to constitute the Section 108 of the BNS there must be an abatement by the petitioners to commit suicide and whatever, the allegations are there constitute under Section 85 of the BNS, which is punishable below seven (07) years. Considering the facts and circumstances of the case and the allegations against the petitioners, the custodial interrogation of the petitioners is not required in the present case, this Court deems it fit to grant pre-arrest bail to the petitioners, subject to the following conditions:

i. The petitioners shall surrender before the Station House Officer, Bahadupura Police Station, Hyderabad District, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- each,

with two sureties, for the like sum each.

ii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

iii. The petitioners shall appear before the concerned Investigating Officer on every Wednesday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required

7. Accordingly, these Criminal Petitions are allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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