IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.16509 of 2026

(CNR.No. HBHC010695162026)

DATE: 14.10.2026

BETWEEN:

Modala Ram Sagar

.....Petitioner-Accused

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court for the State of Telangana at Hyderabad,
(Through Station House Officer, P.S. Kushaiguda).

.....Respondent-Complainant

ORDER

1. This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') praying this Court to enlarge the petitioner on bail who is arrayed as accused in connection with FIR No.681 of 2026 of Kushaiguda Police Station, Malkajgiri District, registered for the offences punishable under Sections 85 and 108 of the BNS.

2. Heard Sri Maheedhar Naidu Puppala, learned counsel for the petitioner-accused and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent–State.

3. Learned counsel for the petitioner submits that the petitioner-accused is innocent and has not committed any offence as alleged by the prosecution. The deceased was suffering from acute postpartum depression (PPD), severe mood disorders, emotional vulnerability following consecutive deliveries, which deteriorated significantly after the unfortunate demise of her second infant daughter in the month of June, 2026. Petitioner-accused is arrested and remanded to judicial custody on 24.09.2026. Section 108 of the BNS is not attracted. Petitioner-accused has 3 years old child, who is in the custody of his parents. Entire investigation is completed and prayed to enlarge the petitioner-accused on bail.

4. Learned Additional Public Prosecutor submits that the role played by the petitioner-accused is clearly depicted in the remand case diary.

5. Sri U.Rajesh, has lodged a report before P.S., Kushaiguda on 09.09.2026. It is stated in the complaint that the accused used to harass his wife that she gave birth to a female child. Unfortunately, the second child born to the accused with that of his wife expired in the month of June, 2026. Even thereafter, accused harassed her physically and mentally that he is insisting for a male child. Basing on the said complaint, FIR came to be registered.

6. Petitioner-accused is arrested and remanded to judicial custody on 24.09.2026, since then he is in jail.

7. Remand case diary goes to show that respondent has altogether examined 11 witnesses in support of the case.

8. Learned Additional Public Prosecutor on instructions submits that DNA report is awaited to file charge sheet.

9. Since investigation is at the fag end, detaining the petitioner-accused further in judicial custody will not serve the purpose. Hence, petitioner-accused is entitled to be enlarged on bail, subject to the following conditions:

i. The petitioner-accused shall execute a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties for a like sum each to the satisfaction of the learned II Additional Junior Civil Judge-cum-II Additional Judicial Magistrate of First Class, Medchal-Malkajgiri District at Kushaiguda.

ii. The petitioner-accused shall appear before the concerned SHO between 10 a.m. to 5 p.m., on every Sunday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

iii. The petitioner-accused shall abide by the conditions stipulated in Section 437(3) of

Cr.P.C.(presently, Section 480(3) of the BNSS).

iv. The petitioner-accused shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

v. It is made clear that if any of the conditions imposed by this Court are violated, the prosecution is at liberty to file an application for cancellation of the bail.

10. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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B.R.MADHUSUDHAN RAO, J

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pss

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