

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.8122 OF 2026

DATE : 28.07.2026

Between:

Suresh Yadala

...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 the sole accused in FIR No.217 of 2026 on the file of Kodad Town Police Station, Suryapet District, registered for the offence punishable under Section 69 of *Bharatiya Nyaya Sanhita*, 2023 (for short, "BNS").

3. Heard Mr.Krishna Kishore Kovvuri, learned counsel representing Mr.T.Vasanth Rao, 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 on 13.05.2026, the mother of the victim lodged a police report alleging that the petitioner, who is their relative and was acquainted with her daughter, sexually exploited the victim on the false promise of marriage. It is further alleged that the victim informed the de facto complainant that the petitioner had administered tablets to her in advance to prevent pregnancy. When the matter was brought to the notice of the petitioner's parents, they assured the complainant that the issue would be discussed; however, they thereafter remained silent. Subsequently, due to agony the victim is stated to have consumed 16 painkiller tablets and was immediately shifted to the hospital for treatment. Based on these allegations, the present crime came to be registered.

5. Learned counsel for the petitioner submits that both the petitioner and the victim are adults who were in a consensual relationship and that a false case has been foisted against the petitioner. Learned counsel further submits that the petitioner has deep roots in society, is not likely to abscond, and is willing to cooperate with the investigation by appearing before the Investigating Officer as and when required and by complying with any conditions that may be imposed by this Court. It is, therefore, prayed that the petitioner be granted anticipatory bail.

6. Per contra, the learned Additional Public Prosecutor opposed the application, contending that the complaint discloses specific allegations that the petitioner sexually exploited the victim on the promise of marriage and, as a consequence, pushed her into a state of mental agony and emotional distress, leading her to consume 16 painkiller tablets. It is further submitted that the investigation is still in progress and that the petitioner's custodial interrogation may be necessary for a fair and effective investigation. On the aforesaid grounds, it is prayed that the application for anticipatory bail be dismissed.

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

8. The gravamen of the allegations against the petitioner is that he established a sexual relationship with the victim on the promise of marriage. It is well settled that the power to grant anticipatory bail is an extraordinary discretionary remedy which is to be exercised judiciously, having regard to the facts and circumstances of each case by balancing the individual's right to personal liberty with the interest of a fair and effective investigation.

9. The principles governing the exercise of jurisdiction under Section 438 have been authoritatively laid down by the Constitution Bench of the

Hon'ble Supreme Court in *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565, wherein it was held that no inflexible or straitjacket formula can be prescribed for the grant or refusal of anticipatory bail and that the discretion vested in the Court must be exercised on well-recognized judicial principles. The Court is required to consider, inter alia, the nature and gravity of the accusation, the precise role attributed to the accused, the possibility of the accused absconding or fleeing from justice, the likelihood of influencing witnesses or tampering with evidence, the antecedents of the accused, and the necessity for custodial interrogation. Equally relevant is the dictum of the Hon'ble Supreme Court in *Armesh Kumar v. State of Bihar*, (2014) 8 SCC 273, wherein it was held that arrest should not be effected in a routine or mechanical manner merely because the offence is cognizable. The investigating agency is required to justify the necessity of arrest, and where the investigation can be effectively carried out without custodial interrogation, arrest should ordinarily be avoided.

10. In the present case, having regard to the age of the petitioner, the admitted long-standing relationship between the parties, and the material presently available on record, this Court does not find any prima facie material to indicate that the petitioner is likely to abscond, evade the process of law, or misuse the liberty, if granted. The petitioner has

expressed his willingness to cooperate with the investigation. At this stage of the investigation, no material has been placed before this Court to demonstrate that the custodial interrogation of the petitioner is indispensable for conducting a fair, effective, or meaningful investigation.

11. Having regard to the totality of the facts and circumstances of the case, the nature of the allegations, the material presently available on record, and the settled principles governing the exercise of jurisdiction under Section 438 of the BNSS, this Court is of the considered opinion that the petitioner has made out a fit case for the grant of anticipatory bail. The legitimate interests of the prosecution and the investigation can be adequately protected by imposing appropriate conditions to ensure the petitioner's availability during the course of investigation.

12. For the aforesaid reasons, this petition is allowed, subject to following conditions.

(A) The petitioner/Accused shall surrender before the Station House Officer, Kodad Town Police Station, Suryapet District on or before 10.08.2026. Upon such surrender or in the event of arrest the Station House Officer shall release him on bail on execution of a personal bond for a sum of Rs.50,000/- (Rupees Fifty 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 on every Saturday between 10.00AM to 03.00PM, for a period of twelve (12) weeks from the date of bail or until the filing of the final result, whichever is earlier.

(C) The petitioner shall remain available for investigation as and when required by the Investigating Officer and shall cooperate fully with the investigation.

(D) The petitioner shall furnish his complete residential address and contact details to the Investigating Officer and shall keep the same updated throughout the course of investigation.

(E) The petitioner shall not either directly or indirectly induce, threaten, influence, or contact any prosecution witness, nor shall he tamper with the prosecution evidence in any manner whatsoever.

(F) The petitioner shall strictly comply with all the conditions contemplated under Section 482(2) of the BNSS.

(G) Any wilful breach or violation of any of the aforesaid conditions shall render the petitioner liable to appropriate proceedings before the court below, including cancellation of bail, in accordance with the provisions of the BNSS and other applicable law.

13. 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: 28.07.2026
CHS

N.TUKARAMJI, J

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