

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.11205 OF 2026

DATE : 24.07.2026

Between:

Sunil Vankudoth.

...Petitioner-accused No.1

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.1 in FIR No.323 of 2026 of Osmania University Police Station, Hyderabad District, registered for the offences punishable under Sections 64, 127(3), 351(2), 324 read with 3(5) of *Bharatiya Nyaya Sanhitha*, 2023 (for short 'BNS').

3. Heard Mr.Alluri Divakar Reddy, learned counsel for the petitioner, Mr.Syed Yasar Mamoon, learned Assistant Public Prosecutor representing the respondent-State.

4.1. The prosecution case, in brief, is that the de facto complainant/victim lodged a police report on 02.07.2026 stating that she had been acquainted with the petitioner for the past two years and that, during the preceding six months, he had been sexually harassing her. It is

alleged that on 31.05.2026, in the afternoon, the petitioner came to the place where the de facto complainant was residing and repeatedly called her. When she initially refused to respond but eventually came downstairs to speak with him, he allegedly snatched her mobile phone, used his own mobile phone to book a Rapido ride, and forcibly took her to an OYO room situated above HDFC Bank at Tarnaka, Hyderabad. It is further alleged that the petitioner wrongfully confined her there for four days, i.e., from 31.05.2026 to 03.06.2026, and forcibly subjected her to sexual intercourse without her consent.

4.2. It is further alleged that, thereafter, the petitioner took the de facto complainant to Tank Bund, where he attempted to kill her. When she demanded the return of her mobile phone and called her parents, the petitioner allegedly threw her mobile phone onto the ground, causing damage to it. At that time, the other accused were also present, and they allegedly told the petitioner that, if he killed her, they would take care of the consequences. They also threatened the de facto complainant that she would never escape and would be killed if she disclosed the incident to anyone. Thereafter, the petitioner allegedly left the place, and the de facto complainant, finding an opportunity, informed her family members and lodged the present complaint. 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 no manner of connection with the alleged offences and has been falsely implicated. It is further submitted that, even if the

allegations in the complaint are accepted at their face value, they do not constitute the essential ingredients of the offences alleged. Learned counsel further submits that the complaint was lodged after considerable delay without any supporting material or cogent evidence. It is also contended that, prior to the lodging of the present complaint, the de facto complainant had never made any complaint against the petitioner. Learned counsel further submits that the petitioner is a permanent resident, is ready and willing to cooperate with the investigation, and undertakes to abide by any conditions that may be imposed by this Court. Accordingly, it is prayed that anticipatory bail be granted.

6. Learned Additional Public Prosecutor, on the other hand, opposes the bail petition and submits that there are specific allegations against the petitioner. It is further submitted that the de facto complainant has specifically alleged that the petitioner wrongfully confined her and subjected her to sexual exploitation for a period of four days. Apart from the said allegations, accusations of an attempt to kill and criminal intimidation have also been levelled against the petitioner, and the investigation is still underway. Learned Additional Public Prosecutor further submits that notice has been served upon the de facto complainant and that custodial interrogation of the petitioner may be necessary for the purpose of an effective investigation. Accordingly, it is prayed that the bail petition be dismissed.

7. The de facto complainant appeared before this Court in person and submitted that the petitioner had forcibly taken her against her will and

sexually exploited her under threat. She further submitted that the petitioner is at large and that she apprehends danger to her life at the hands of the accused. Accordingly, she prayed for dismissal of the bail petition.

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

9. The gravamen of the allegations against the petitioner is that the de facto complainant, who was acquainted with him, was subjected to continuous sexual harassment for a period of about six months. It is further alleged that, on 31.05.2026, the petitioner forcibly took the de facto complainant from her place of residence to a hostel/OYO accommodation, where he wrongfully confined her and sexually exploited her for a period of four days against her will. It is also alleged that, thereafter, the petitioner attempted to kill the de facto complainant and that the other accused actively aided and abetted him by extending support and threatening the victim with dire consequences in the event she disclosed the incident.

10. It is well settled that the power to grant anticipatory bail under Section 482 of the BNSS is an extraordinary discretionary remedy intended to safeguard personal liberty and must be exercised judiciously, having regard to the facts and circumstances of each case. In *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565, the Hon'ble Supreme Court held that no inflexible or straitjacket formula can be prescribed for the exercise of such discretion and that each case must be decided on its own facts. In *Siddharam Satlingappa Mhetre v. State of Maharashtra*, (2011) 1

SCC 694, the Hon'ble Supreme Court reiterated that personal liberty and that arrest should not be made merely because it is lawful to do so, unless the facts of the case demonstrate a genuine necessity for custodial interrogation. Likewise, in *Arnesh Kumar v. State of Bihar*, (2014) 8 SCC 273, the Hon'ble Supreme Court emphasized that arrest is not to be effected as a matter of course and that the Investigating Agency must satisfy itself that such arrest is necessary for the purposes recognized by law.

11. In the present case, having regard to the nature of the accusations, the specific role attributed to the petitioner, and the stage of the investigation, while simultaneously considering the petitioner's expressed willingness to cooperate with the Investigating Agency and the absence of any material presently demonstrating a compelling necessity for custodial interrogation, this Court is of the considered view that the discretionary relief of anticipatory bail can be extended to the petitioner, subject to conditions ensuring his availability for investigation, preventing any interference with the investigation.

12. Accordingly, the Criminal Petition is allowed. The petitioner shall be enlarged on anticipatory bail, subject to the following conditions:

(A). The petitioner/Accused No.1 shall surrender before the Station House Officer, Osmania University Police Station, Hyderabad District, on or before 07.08.2026. 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 petitioner shall appear before the Station House Officer on every Monday and Saturday between 10.00 a.m. to 03.00 p.m. for a period of twelve (12) weeks or till filing of the final result, whichever is earlier.

(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 they tamper with prosecution evidence in any manner whatsoever.

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: 24.07.2026
mmr

N.TUKARAMJI, J

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