

**HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY**

**CRIMINAL PETITION No.5484 of 2024**

**ORDER:**

This petition is filed under Sections 437 and 439 of the Criminal Procedure Code seeking to enlarge the petitioner, who is the accused, on bail in Crime No.106 of 2024 registered with Bowenpally Police Station for the offences under Sections 376(2)(n), 420 and 417 IPC.

2. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor appearing for the respondent-State.

3. It is alleged that the victim got acquainted with one Mr. Harsha in the year 2022 through a dating app. They chatted and talked over phone for sometime. Meanwhile, in September 2022, the victim received a call from the accused, who claimed to be a friend of Mr. Harsha and expressed his intention to be her friend and talk to her casually. That believing the accused, the victim accepted his friendship and started chatting and talking over the phone. After a period of three (3) months, the accused expressed his feelings towards the victim and he wanted to marry her. The victim initially ignored his proposal but the accused threatened her that if she does not talk to him, he would block her

number and would commit suicide by writing her name. Later, the accused went to Hanuman Temple, Bowenpally and spoke to the mother of the victim and promised her that he will marry the victim.

4. It is alleged that the victim believed the accused. That on one day when the parents of the victim were not at home, the accused visited her house and had sex with the victim by insisting her to believe in him and he said that he was going to marry her. On believing the marriage proposal of the accused, the victim had physical intercourse with the accused. Later, the accused took house at L.B. Nagar and had physical intercourse. Likewise, they had physical intercourse multiple times. It is further alleged that in the guise of starting business, accused asked for financial help from the victim. That believing the accused, the victim gave Rs.50,000/- (Rupees fifty thousand only) and Rs.30,00,000/- (Rupees Thirty Lakhs only). The accused took 3 tulas of gold from the victim and sold it for money. Whenever the victim asked about the money, the accused used to fight with her and later told her that he is not doing any business and he used all the money for his own needs. The victim enquired about the accused and came to know that he used her in the name of friendship. The victim tried to contact the accused but he

was not receiving her phone calls. It is alleged that the accused informed the victim that he got married and he met the victim only for the purpose of money.

5. The accused was arrested and remanded to the judicial custody on 27.03.2024. The police have recorded the statements of the victim (LW-1), the mother of the victim (LW-2), the father of the victim (LW-3), the maid of the victim (LW-4), the watchman at the house of the LW-6 who is a witness (LW-5), the owner of the house where accused stayed as a tenant (LW-6), Mr. Harsha who is a friend of the accused (LW-7). It is revealed from the remand report that the victim and accused had physical relationship for a long time. The victim was married and has a child from her earlier marriage and is a divorcee.

6. Taking into consideration of the fact that the victim had physical relationship with the accused on several occasions and that money has been allegedly taken by the accused when they were in relationship and since major part of the investigation being completed, this Court is inclined to grant bail to the accused.

7. In view of the above, the Criminal Petition is allowed with the following conditions:

(i) The petitioner-accused shall be enlarged on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the learned XI Additional Chief Metropolitan Magistrate, Secunderabad.

(ii) The petitioner-accused shall comply with the conditions stipulated under Section 437(3) of Cr.P.C. and shall appear before the trial Court on all the dates when his presence is required.

Pending Miscellaneous Applications, if any, in this Criminal Petition, shall stand closed.

Date: 23.05.2024  
KL/YVL

**B. VIJAYSEN REDDY, J**