

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14765 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioners who are arrayed as accused Nos.2, 3, 5 and 6 in Crime No.366 of 2024 of Musheerabad Police Station, Hyderabad.

2. The brief facts of the case are that the *de-facto* complainant lodged a report that she is from Kothagudem District and she came to Hyderabad for preparing UPSC and she has no friends and relatives in Hyderabad and one of her family friend had mentioned to her that he knew one friend in Hyderabad and could be contacted if any help is needed and the said person forwarded the contact number of one satish to help her to get accommodation and he helped him. On 24.08.2024, the said satish called her to take rest in house and on the same day, he came close to her and started to touch her inappropriately and also raped her multiple times. Thereafter, he made a telephone call to his parents and put them on speakerphone and confirmed that he was going to get

marry her and also introduced her to her relatives. Later she have shifted to another room at Ramnagar by saying that they are married. However, threatening the *de-facto* complainant with dire consequences by taking her nude photos during their private time. the said satish is failed to marry her. Hence, a case was registered vide Crime No.366 of 2024 before the Musheerabad Police Station, Hyderabad, for the offences punishable under Sections 64(2)(m), 318(2), 318(4), 127(4) and 351(2) of BNS.

3. Heard Sri K.Narender, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent No.1-State.

4. Learned counsel for the petitioners *firstly* submitted that the petitioners are innocent and they are no way concerned with the alleged offences. He *secondly* submitted that the petitioners are implicated in the case with false and fabricated allegations. He *thirdly* submitted that the averments of the petition do not constitute offences under Sections 318(4) and 64(2)(m) of the BNS. He *lastly* submitted that previously, anticipatory bail applications of the

petitioners *vide* Crl.M.P.Nos.4930 of 2024 and 5329 of 2024 in were dismissed by the Special Sessions Judge for Fast Tracking the Cases relating to Atrocities against Women – II – Cum – XI Additional Metropolitan Sessions Judge at Hyderabad, on 05.11.204 and 27.11.2024 respectively, without valid reasons. Therefore, he prayed the Court to grant of anticipatory bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that the investigation is not yet completed, therefore, granting of bail to the petitioners, at this stage does not arise and he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, the averments of the petition do not constitute the offences under Section 318(4) and 64(2)(m) of the BNS against the petitioners and material part of the investigation is also completed. Therefore, considering the facts and circumstances of the case, this Court is of the

considered view that it is a fit case for granting of anticipatory bail to the petitioners.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioners subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer of P.S.Musheerabad, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioners shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.
- iii. The petitioners shall abide by the other condition stipulated in Section

482(2) of Bharatiya Nagarik Suraksha
Sanhita, 2023.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand
closed.

K. SUJANA, J

Date: 12.12.2024

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