

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15196 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioners/accused Nos.1 and 2 in Crime No.362 of 2024 of Cherlapally Police Station, Rachakonda.

2. The brief facts of the case are that accused No.1, along with other accused, used to harass the *de-facto* complainant and forced her to marry him by hacking her social media accounts. It is stated that accused No.1 threatening the *de-facto* complainant with dire consequences under the guise of marriage proposal as he applied for divorce with his first wife. Hence, a case registered vide Crime No.362 of 2024 before the Cherlapally Police, Rachakonda, for the offences punishable under Sections 69, 87 of the BNS and Section 3(2)(va) of SC/ST (POA) Act.

3. Heard Sri T.Koteswara Prasad, 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-State.

4. Learned counsel for the petitioners submitted that since initially the accused No.1 postponed the marriage as he is concern about life settlement, the *de-facto* complainant, who is distant relative of the petitioners, filed a case against the petitioners with false and fabricated allegations. He further submitted that the petitioners are no way concerned with the alleged offences. He also submitted that the petitioners are residents of Mallapur, Medchal Malkajgiri District and Kapra, Hyderabad, with movable and immovable properties, and are willing to furnish sureties as directed. Hence, he prayed the Court to grant anticipatory bail to the petitioners.

5. On the other hand, learned Additional Public Prosecutor submitted that the investigation is not yet completed, therefore, granting anticipatory bail to the petitioners, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the submissions made by both the parties and a perusal of the material placed on record, *prima facie*, it is apparent that the petitioners and the *de-facto*

complainant are distant relatives and out of such acquaintance, when the *de-facto* complainant proposed to marry her, accused No.1 postponed the marriage as he is concern about life settlement. It is pertinent to note that material part of the investigation is 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. Cherlapally, within two weeks from today, and on such surrender, the said Station House Officer shall release them 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 10 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 conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 23.12.2024
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23

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