

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15574 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 petitioner who is arrayed as accused No.1 in Crime No.507 of 2024 of Bachupally Police Station, Cyberabad.

2. The brief facts of the case are that on 04.06.2024 at 20.30 hours, the *de-facto* complainant lodged a report stating that her husband and in-laws harassing her physically and mentally and for bring additional dowry and threatening with dire consequences using filthy language. Hence, a case was registered *vide* Crime No.507 of 2024 of Bachupally Police Station, Cyberabad, for the offences punishable under Sections 498-A, 307, 506 read with 34 of IPC and Sections 3 and 4 of DPA.

3. Heard Sri K.Krishnaveni, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. She *secondly* submitted that though the petitioner and *de-facto* complainant were separated on 25.02.2024, the FIR was filed on 04.06.2024 nearly after 4 months of separation with pre-mediated plan to extort money from the petitioner as the *de-facto* complainant is aware that she cannot claim any alimony for non-consummated marriage. She *thirdly* submitted that the present case was filed against the petitioner with false and fabricated allegations only to extort money from the petitioner. She *lastly* submitted that previously, bail application of the petitioner, *vide* CrI.M.P.No.515 of 2024, was dismissed by the III Additional District and Sessions Judge – cum – II Additional Metropolitan Sessions Judge, Medchal-Malkajgiri District at Kukatpally, on 01.10.2024, without valid reasons and prayed the Court to grant of anticipatory bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the allegation leveled against the petitioner is serious in nature and PRC number is awaited

after completion of the investigation and therefore, granting anticipatory bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, it apparent that there are matrimonial disputes between accused No.1 and *de-facto* complainant and remaining accused granted anticipatory bail. It is pertinent to note that after completion of investigation, a charge sheet is also filed. 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 petitioner.

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

- i. The petitioner shall surrender before the Station House Officer of P.S.Bachupally, Medchal-Malkajgiri 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.

- i. The petitioner shall cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required as the charge sheet is filed before the concerned Court.
- ii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 24.12.2024

gv

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