

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15898 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.1008 of 2024 of Bachupally Police Station, Cyberabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the accused proposed the victim and participated in sexual intercourse with her on the pretext of love. However, the accused refused marry the victim on the ground that if he marries her, his father won't give property to him. Hence, a case was registered vide Crime No.1008 of 2024 before the Bachupally Police, Cyberabad, for the offences punishable under Sections 69, 89, 115(2) and 351(2) of the BNS.

3. Heard Sri U.Venkateswara Rao, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that though the relationship between the accused and the victim is from the year 2021, the complaint was filed against the

petitioner in the year 2024 with false and fabricated allegations only to harass the petitioner. He *secondly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *thirdly* submitted that the petitioner has been in judicial custody since 26.11.2024, causing undue hardship to his family. He *fourthly* submitted that the petitioner is resident of Kukatpally, Hyderabad, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioner, *vide* Crl.M.P.No.312 of 2024, was dismissed by the Principal District and Sessions Judge-Cum-Family Court, Medchal Malkajgiri District at Malkajgiri, on 18.12.2024, without valid reasons and prayed the Court to grant 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 investigation is not yet completed, therefore, granting 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 reviewing the record, since the petitioner is languishing in jail from 26.11.2024 and also material part of investigation is

completed, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the Principal Junior Civil Judge-Cum-XI Additional Metropolitan Magistrate, Medchal Malkajgiri District at Kukatpally.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 30.12.2024
gms

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