

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.313 of 2025

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 accused in Crime No.07 of 2025 of Mahabub Nagar II Town Police Station.

2. The brief facts of the case are that *de-facto* complainant lodged a report before the Police on 04.01.2025 stating that she was acquainted with the petitioner while they were working in the same hospital Mahabubnagar. Thereafter, accused expressed his desire to marry her. On believing the words the *de-facto* complainant involved sexually. When the victim girl asked him to marry the accused denied the same. Hence, a case was registered vide Crime 07 of 2025 of Mahabubnagar II Town Police Station, for the offences punishable under Sections 69 of BNS, Section 3(2)(v) of SC/ST POA Act.

3. Heard Sri P. Ramulu, 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 No.1 - State.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he is falsely implicated in the case. Further submitted that there is a long term relationship between them and Section 69 of BNS is not applicable and upon relying the judgment of the Hon'ble Supreme Court in (2019) 3 SCC (Cri) 903:2019 SCC Online Sc 1073, he requested to grant bail to the accused.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the offences are heinous in nature and the investigation is still in progress 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, it is apparent that the offence took place with the consent of the petitioner and their relation is consensual. 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.Mahaboobnagar, 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 petitioner 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 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: 10.01.2025

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