

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.420 of 2025

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioner/accused No.1 in Crime No.1587 of 2024 of Madhapur Police Station, Cyberabad.

2. The brief facts of the case are that in the year 2023, while the victim was searching for job, accused No.1 participated in sexual intercourse with the victim in his room at Madhapur. When the victim got pregnant, accused No.1 made her to swallow abortion pills by promising to marry her after settling in life. Thereafter, accused No.1 besides refusing to marry the victim by abusing her in filthy language, he also married another woman. Hence, a case was registered vide Crime No.1587 of 2024 before the Madhapur Police, Cyberabad, for the offences punishable under Sections 376(2)(n), 313 of the IPC and Section 3(2)(v) of the SC/ST (POA) Act.

3. Heard Sri M.Ram Mohan Reddy, 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 submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He further submitted that though there is consensual relationship between the victim and the petitioner, the petitioner is implicated in the case with false and fabricated allegations. He also submitted that the petitioner is resident of Warangal, with movable and immovable properties and is willing to furnish sureties as directed. Hence, he prayed the Court to grant anticipatory bail to the petitioner.

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 anticipatory bail to the petitioner, 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, it is apparent that though there is consensual relationship between the victim and the petitioner since 2023, the victim filed complaint vide Crime No.1587 of 2024 on 05.12.2024. It

is noteworthy that initially there is no promise of marriage by the petitioner, the promise of marriage comes when the victim becomes pregnant and the petitioner got aborted her by promising to marry her. Pertinently, 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 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. Madhapur, Cyberabad, 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 10 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 and co-operate with the Investigating Officer in investigating the case.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 27.01.2025
gms

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