

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1817 of 2025

ORDER:

Seeking the Court to enlarge the petitioner, who is arrayed as accused No.1 in Crime No.632 of 2023 of Medipally Police Station, Rachakonda Commissionerate, on pre-arrest bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the de facto complainant lodged a report before the Police stating that she divorced her first husband in 2022 due to family disputes. She then met Arun, who proposed marriage despite knowing she was divorced and from the SC Madiga community. Arun's parents agreed to the marriage, and after my official divorce, they had a secret marriage at her home, where his parents took Rs.7 lakhs from her. Initially, Arun treated her well, but his parents soon began harassing her, demanding money and using filthy language, touching on my caste, calling her "Madiga Lanja." They insulted her publicly, and on June 8, 2023, they took Arun away, preventing her from meeting him.

Then she realized that she was cheated by Arun and his family, who used her for money in the name of marriage.

3. Heard Sri Krishna Muralidhar, 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-State and Sri S. Maruti Rao, learned counsel appearing on behalf of respondent No.2.

4. Learned counsel for the petitioner submitted that the de-facto complainant's allegations are false and baseless. The complainant alleged that the petitioner's family members abused her with filthy language, touching on her caste, and tried to beat her. He further submitted that the complainant created a fabricated story to extract money from the petitioner and that the petitioner comes from a reputable family, is a law-abiding citizen, and is willing to cooperate with the investigation. They deny any involvement in the alleged offense and claim that the complainant has a history of blackmailing and demanding huge amounts of money. Therefore, he prayed the Court to grant pre-arrest bail to the petitioners by allowing this criminal petition.

5. Learned counsel for respondent No.2 filed a counter affidavit, denying the allegations made by the learned counsel for the petitioner stating that the petitioner and his parents harassed respondent No.2 for money. On 08.06.2023, the petitioner left the house, claiming he needed to take his father to the hospital, and never returned. He further submitted that the petitioner and his parents used filthy language against her, in the name of the caste. The counsel prayed that the court dismiss the bail petition, as granting bail would allow the petitioner to avoid respondent No.2.

6. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioner, stating that the allegations leveled against the petitioner are serious in nature. At this stage, granting of pre-arrest bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the Criminal Petition.

7. In the light of the submissions made by both the parties and a perusal of the material available on record, it appears that respondent No.2 initially lodged a report before the Police

that the petitioner missing on 08.06.2023. Later, on June 23, 2023, she filed another report alleging the petitioner and his parents harassed her for additional dowry, used filthy language, and made caste-based insults. Notably, these allegations were not mentioned in the initial report. Further, respondent No.2 admitted that the petitioner's marriage to her and his care for their children. Furthermore, the allegations were primarily directed against the petitioner's parents, rather than the petitioner himself. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Medipally Police Station, Rachakonda Commissionerate, 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 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.

- iii. The petitioner shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.
- iv. The petitioner shall deposit his passport before the concerned Court.

8. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 27.02.2025
SAI

K. SUJANA, J

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