

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1991 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for granting of pre-arrest bail to the petitioners/accused No.1 in Crime No.1154 of 2024 on the file of the Banjara Hills Police Station, Hyderabad.

2. The brief facts of the case are that on 08.10.2022 accused No.1 exploited the victim sexually by promising to marry her. However, when the victim questioned about marriage, accused No.1 besides refusing to marry her, also threatened her with dire consequences. Hence, a case was registered *vide* Crime No.1154 of 2024 before the Banjara Hills Police, Hyderabad, for the offences punishable under Sections 376, 341, 506 and 323 read with 34 of the IPC.

3. Heard Sri. G.Jithender Reddy, 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.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that without there being any corroborative evidence, the petitioner was implicated in the present case with false and fabricated allegations. He *thirdly* submitted that though the alleged offence took place in the year 2022, the victim filed complaint in the year 2024 with an inordinate delay of two years. He *lastly* submitted that the petitioner is resident of Mahabubnagar District, with movable and immovable properties, and is willing to furnish sureties as directed and prayed the Court to grant 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 there are serious allegations against the petitioner and also 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, *prima*

facie, it is apparent that though the alleged offence took place in the year 2022, the victim filed complaint in the year 2024 with an inordinate delay of two years. It is noteworthy that there is no incriminating evidence to prove the alleged offences. It is pertinent to note that 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 Banjara Hills Police Station, Hyderabad, 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: 17.02.2025
gms

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