

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2425 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.44 of 2025 of Ibrahimpatnam Police Station, Rachakonda Commissionerate, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 19.01.2025, de facto complainant lodged a complaint at Ibrahimpatnam Police Station, stating that on January 18, 2025, while her husband, an NSG commando, was away on duty, their neighbor, M. Venkatesh, entered her room, kissed her indecently, and forcibly had sex with her. When her husband returned, Venkatesh claimed he was there because their son was crying. The victim did not initially tell her husband due to fear of being scolded, but later revealed the incident, requesting action against Venkatesh.

3. Heard Sri K. Venkat Reddy, learned counsel appearing on behalf the petitioner as well as Sri Syed Yasar Mamoon,

learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the alleged offence and was falsely implicated by the victim due to a personal grudge. He further submitted that the investigation has been completed, and there is no risk of evidence tampering. The petitioner is a law-abiding citizen from a respectable family, with no prior bail petitions pending and that he is willing to provide sufficient sureties and attend all court hearings. Therefore, he 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 allegations leveled against the petitioner are serious in nature. Further, the investigation is not yet completed. At this stage, granting of bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon a perusal of the material available on

record, it appears that the petitioner has been in jail since 20.01.2025. As seen from the record, the material part of the investigation is completed and 164 Cr.P.C. (Section 183 of BNSS) statements were also recorded. Considering the facts and circumstances of the case, as well as the petitioner's incarceration, 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), with two sureties for a like sum each to the satisfaction of the learned XV Metropolitan Magistrate, Rachakonda Commissionerate, Ibrahimpatnam.
- 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, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 06.03.2025
SAI

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