

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.2332 of 2025

ORDER:

Seeking the Court to enlarge the petitioners, who are arrayed as accused Nos.2 and 3 in Crime No.15 of 2025 of Balanagar Police Station, Mahabubnagar District, on pre-arrest bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 27.01.2025, Boya Yadaiah reported to the police that his 17-year-old daughter, Harika, had gone missing from his home in Udithyala village. He and his wife had left for a relative's house, leaving Harika and her grandmother at home. When they returned, Harika was nowhere to be found, and her phone was switched off. Yadaiah searched for his daughter and eventually filed a complaint with the police, who registered a case under various sections, including the POCSO Act, and began investigating.

3. Heard Sri Saleha Begum, learned counsel appearing on behalf of the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioners deny all allegations, claiming they are fabricated to implicate them and that no incident occurred as described in the complaint, which was filed to harass them. He further submitted that daughter-in-law of the petitioners had married their son of her own free will at Ammavari Temple on January 25, 2025. The complainant was aware of this marriage but suppressed it, leading to the registration of Cr.No.15/2025. He contended that the father of the victim was aware of the marriage and his daughter's majority age but lodged a false complaint due to caste and creed issues. He further contended that the daughter-in-law of the petitioners married without coercion, having attained majority age almost two years ago. The petitioners also point out that their daughter-in-law's employment with Amazon at Shamshabad indicates she is above 18 years old, making the complaint fabricated. Therefore, he prayed the Court to grant pre-arrest bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioners, stating that the allegations leveled

against the petitioners are serious in nature. At this stage, granting of pre-arrest bail to the petitioners does not arise. Therefore, he prayed the Court to dismiss the Criminal Petition.

6. After considering the submissions made by both the learned counsel and reviewing the material available on record, as seen from the 164 Cr.P.C. statements, there is no role attributed against the petitioners. Considering the facts and circumstances of the case and as the material part of the investigation is completed, this Court deems it fit to grant pre-arrest bail to the petitioners subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Balanagar Police Station, Mahabubnagar District, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioners 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 petitioners 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.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 25.02.2025
SAI

K. SUJANA, J

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