

THE HONOURBLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 3353 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner/accused seeking anticipatory bail in Crime No.143 of 2025 of S.R. Nagar Police Station, Hyderabad District, for the offences punishable under Sections 64 and 318(4) of the Bharatiya Nyaya Sanhita, 2003 (BNS).

2. Heard Mr. E. Sreenivas Rao, learned counsel for the petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

3. The case of the prosecution in brief is that on 28.02.2025, the *de facto* complainant lodged a complaint stating that she is working in Lulu Mall, where the petitioner is also working as shift Engineer. The petitioner used to send whatsapp messages and used to talk frequently as colleagues. Thereafter, the petitioner proposed her saying that he loves her. Though, she refused him, the petitioner told that if she would not agree, he will die and stated that his family will agree for their marriage. Believing his words, she is frequently talking with the petitioner in their work place. One day, the petitioner went to the house of her friend, where he

met her physically stating that he will marry her. The petitioner physically met her several times by believing that he will marry her. For the last one month, the petitioner asking apology stating that his family members are not agreed for marriage and he is planning to marry another woman. Basing on the said complaint, the police lodged the present crime.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the alleged offence and he was falsely implicated by the *de facto* complainant with an intention to harass the petitioner. The ingredients of Section 64 of the BNS are not applicable to the facts and circumstances of the case. The petitioner is ready and willing to cooperate with the investigation and also comply with the conditions, which are going to be imposed by this Court. Hence, the petitioner may be granted anticipatory bail.

5. Learned Additional Public Prosecutor submitted that there are specific allegations against the petitioner. If the petitioner is enlarged on anticipatory bail, there is every chance to influence the witnesses and interfere with the investigation. The investigation is under progress. Hence, at this stage, the petitioner is not entitled for grant of anticipatory bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, *prima facie* it reveals that the *de facto* complainant lodged a complaint on 28.02.2025 and there are no specific allegations levelled against the petitioner to attract the provisions of Section 64 of the BNS. Taking into consideration the facts and circumstances case, this Court is inclined to grant anticipatory bail to the petitioner/accused with the following conditions:

- (i) The petitioner is directed to surrender before the S.H.O., S.R.Nagar Police Station, Hyderabad District, on or before 19.03.2025 and on such surrender, he shall be enlarged on bail on executing a personal bond for a sum of Rs.25,000/-(Rupees twenty five thousand only) with two sureties for a like sum each.
- (ii) On such release, the petitioner shall appear before the S.H.O., S.R.Nagar Police Station, Hyderabad District, on every Monday at 11:00 a.m. for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier.
- (iii) The petitioner shall abide by the conditions stipulated under Section 482 (2) of the BNSS and shall cooperate with the Investigating Officer in the investigation.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 13.03.2025

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