

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.3732 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused seeking anticipatory bail under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS), in connection with Crime No.69 of 2025 of Madhapur Police Station, registered for the offence punishable under Section 69 of Bharatiya Nyaya Sanhita (BNS).

2. Heard Mr. Sreenivasa Rao Velivela, learned counsel for the petitioner and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 17.01.2025 at about 10:00 A.M., the Station House Officer, Madhapur Police Station, received a complaint from the complainant stating that during the month of October, 2020, while she was in search of job, she got acquaintance with the petitioner, who assured her that he would provide a job to her and after ten days, he

proposed her to marry and they used to meet frequently and in March, 2021, they developed physical relationship and in September, 2021, she completely shifted to his flat and she got conceived but he got her aborted and about eight months ago, petitioner went to his native village stating that his mother was sick and since one month, he blocked her mobile number on his phone and on enquiry, it revealed that the address mentioned in his aadhar card is incorrect. Basing on the said complaint, the aforesaid Crime was registered against the petitioner/accused for the aforesaid offence.

4. Learned counsel for the petitioner/accused submits that the petitioner has not committed the offence and he has been falsely implicated in the aforesaid crime. He further submitted even according to the complaint, the allegations made in the complaint pertain to the year 2020 whereas the petitioner lodged the complaint on 17.01.2025 and therefore, the ingredients of Section 69 of BNS are not attracted to the

present case.. He further submits that the petitioner is a private employee and he be granted anticipatory bail as he is ready and willing to cooperate with the investigating officer for investigation and abide by the conditions that may be imposed by the Court.

5. Per contra, learned Additional Public Prosecutor submits that the investigation is not yet completed and if the petitioner/accused is granted anticipatory bail at this stage, there is every chance of his influencing the witnesses and interfering with the investigation. Hence, he prays to dismiss this criminal petition.

6. Having heard learned counsel for the parties and having perused the material available on record, it reveals that even according to the complaint, the allegations pertain to the year 2020 but the complaint has been lodged on 17.01.2025. As per the learned Additional Public Prosecutor, LW.1 has already been examined.

7. In view of the same, this Court is inclined to grant anticipatory bail to the petitioner/accused subject to the following conditions:

- (i) Petitioner/accused is directed to surrender before the Station House Officer, Madhapur Police Station, on or before 29.03.2025;
- (ii) On such surrender, the Station House Officer, Madhapur Police Station, shall release the petitioner/accused on bail on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties for a likesum each to the satisfaction of the said Officer;
- (iii) On such release, petitioner/accused shall appear before the Station House Officer, Madhapur Police Station, on every Sunday at 11:00 a.m., for a period of eight weeks for the purpose of investigation and thereafter, as and when required by the police for investigation.
- (iv) Petitioner/accused shall abide by the conditions stipulated under Section 438(2) of the Criminal Procedure Code, 1973/Section 482 of

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BNSS and shall cooperate with the investigation officer for conclusion of investigation.

8. Subject to the above directions, the Criminal Petition is allowed. No costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date: 24.03.2025
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J.SREENIVAS RAO, J