

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.4094 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.166 of 2025 of Madhura Nagar Police Station, Hyderabad, registered for the offences punishable under Section 69 of Bharatiya Nyaya Sanhita (BNS).

2. Heard Mr. N.Manideep, learned counsel representing Ms. B.Shirisha, learned counsel for the petitioner/accused and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent No.1/State.

3. The case of the prosecution is that on 12.03.2025 at about 21:30 hours, the Station House Officer, Mathura Nagar Police Station, received a complaint from the complainant stating that she works in a shop *viz.*, Oliva Skin and Hair, near

Rasoolpura and is staying in Madhuranagar and on 26.03.2024, she got acquaintance with the petitioner and two to three months thereafter, she developed physical relationship with the petitioner and later when the complainant came to know about his marital status and kids of the petitioner, she questioned him, but the petitioner said that he would marry her and look after her kids also and subsequently he changed his words and on 11.03.2025, he fought with her and beat her stating that he cannot marry her and the family members of the petitioner are blackmailing her as petitioner is missing from their house. She further stated that the petitioner fought with his wife and left home and she is not responsible for missing of the petitioner and if anything happens to her, the petitioner and his family members are responsible. Basing on the said complaint, the aforesaid Crime was registered against the petitioner/accused for the aforesaid offences.

4. Learned counsel for the petitioner/accused submits that the petitioner has not committed any offence and he was falsely implicated in the aforesaid crime. He further submits that even according to the complaint, the petitioner and the complainant are having relationship since March, 2024, whereas the complaint has been filed nearly after one year thereafter on 12.03.2025, and the ingredients of Section 69 of BNS are not applicable to the petitioner and therefore, the petitioner 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 this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner/accused committed grave offence and the investigation is in progress and if the petitioner 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 on perusal of the record, it reveals that the petitioner and the complainant are known to each other since March, 2024, and the complaint was lodged on 12.03.2025 and according to the learned Additional Public Prosecutor, the investigation is in progress.

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, Mathura Nagar Police Station, on or before 02.04.2025;
- (ii) On such surrender, the Station House Officer of Mathura Nagar 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, Mathura Nagar Police Station, on every Monday at 11:00 a.m., starting from 07.04.2025 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 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: 26.03.2025
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J.SREENIVAS RAO, J