

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION NO. 5154 OF 2025

ORDER:

This Criminal Petition is filed by the petitioner/accused under Sections 480 and 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS) seeking regular bail in Crime No.466 of 2025 of Madhapur Police Station, Cyberabad, registered for the offence punishable under Sections 69, 316(2) and 318(4) of BNS.

2. Heard Sri U. Shanthi Bhushan Rao, learned counsel for the petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent.

3. The case of the prosecution is that on 19.03.2025 at 1600 hours the de-facto complainant filed a complaint stating that the petitioner got in touch with her and they became friends and the petitioner also took her to his house and introduced his mother and sister, who accepted for their relationship. It is further stated in the complaint that when the petitioner used to start business, his mother and sister assured the de-facto complainant to give money to the petitioner since they are going to get married and believing their version, the de-facto complainant by taking loan from several sources gave money to

the petitioner on many occasions and that whenever she used to ask for getting married, the petitioner used to postpone and finally, he threatened her to kill if she forces him to marry her and that he is not repaying the amount taken from her. Basing on the said complaint, the present crime has been registered for the above said offences.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence and he was falsely implicated in the present crime. Even according to the allegations made in the complaint, the ingredients of Sections 69, 316(2) and 318(4) of BNS will not attract to the petitioner and that the nature of allegations levelled against the petitioner is with regard to recovery of amount. The de-facto complainant ought to have filed a suit for recovery of amount instead, she filed the present complaint with an intention to harass the petitioner. He further submits that the petitioner was arrested on 25.03.2025 and since then he was in judicial custody and that the petitioner is ready and willing to cooperate with the investigation and also the conditions which are going to be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence and investigation is under progress and at this stage, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner and the de-facto complainant were known to each other since 2021. Even according to the averments made in the complaint, the de-facto complainant has paid certain amounts in 2023 and subsequently she lodged the complaint. The petitioner was arrested on 25.03.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, 12 witnesses were examined and the petitioner is not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner subject to the following conditions:

- (1) The petitioner/Accused is enlarged on bail on executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousands only) with two sureties for a like

sum each to the satisfaction of the X Additional Metropolitan Magistrate at Kukatpally.

(2) The petitioner/Accused shall appear before the concerned SHO at 11:00 A.M. on every Monday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter as and when required.

(3) After release, the petitioner/Accused shall not contact the de-facto complainant on any manner till filing of the charge sheet.

(4) The petitioner/Accused shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

8. Accordingly, the Criminal Petition is allowed.

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

Date: 23.04.2025
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J.SREENIVAS RAO, J