

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5558 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused No.1 in Crime.No.574 of 2025 on the file of the P.S.Petbasheerabad, Cyberabad, registered for the offences punishable under Section 69 of BNS and Sections 3(1)(r)(s) and 3(2)(v) of SC ST POA ACT.

2. The case of prosecution in brief is that on 01.04.2025, the complainant lodged a complaint stating that she was in a long-term relationship with the petitioner since their intermediate education (2010–2012). Despite his repeated assurances of marriage, petitioner allegedly exploited her emotionally and physically over the years. In 2019, after being forced into another marriage by her parents, she got divorced and began living with the petitioner in Hyderabad as husband and wife, supporting him financially while he remained unemployed. In November 2024, petitioner secured a job in Pune. While initially promising to marry her, he later

informed her that his parents opposed the marriage due to her caste (Madiga). On 04.02.2025, during a phone call with petitioner and his sister, she was allegedly abused and humiliated with caste-based slurs. Petitioner later asked her how much money she wanted for having lived with him, and then cut off contact by switching off his phone. On 10.02.2025, he sent her a suicidal message, but they both abandoned the idea. When he continued to remain unreachable, she lodged the present complaint and basing on the same, Crime No.574 of 2025 was registered.

3. Heard Sri K.Ajay Kumar, learned counsel for petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for petitioner submitted that petitioner has not committed alleged offence and he was falsely implicated in the above crime. He further submitted that even according to the allegations made in the complaint, the ingredients of Section 69 of BNS are not attracted against the petitioner and the petitioner never promised the victim that he will marry her. He further submitted that the petitioner is software employee and the he is not having

any criminal antecedents. He further submitted that in respect of other accused, investigation officers issued notice under Section 35(3) of BNSS and they have submitted reply to the said notice and the petitioner is ready to cooperate with the investigation and also abide by the conditions, which are going to be imposed by this Court, and hence, prayed for grant of anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner has committed grave offence and the investigation is under progress and charge sheet is not yet filed and at this stage if the petitioner is enlarged on anticipatory bail, there is every chance to interfere with the investigation and also influence the witness. Hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that the petitioner and victim girl are known to each other since 2019 and the investigating officer has already issued notice under Section 35(3) of BNSS to accused Nos.2 and 3 and they have submitted reply to the said notice. Even according to the learned

Additional Public Prosecutor, 2 witnesses were already examined and petitioner is not having any other criminal antecedents.

7. Taking into consideration the said facts, this Court is inclined to grant anticipatory bail to the petitioner/accused No.1 subject to the following conditions.

1. The petitioner/accused No.1 shall surrender before the Station House Officer of P.S. Petbasheerabad, Cyberabad, on or before 05.05.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused on bail on his executing a personal bond for Rs.30,000/- (Rupees thirty Thousand only) with two sureties, for the like sum each.
2. After release, the petitioner/accused No.1 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 No.1 shall not try to influence any of the prosecution witness in any manner or directly or indirectly try to contact the victim and her family.
4. If the petitioner/accused No.1 violates any of the conditions, the respondent-State is entitled to file an

application seeking cancellation of the bail granted by this Court in his favour.

5. The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.
8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 30.04.2025
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