

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5850 of 2025

ORDER:

This criminal petition is filed by the petitioner/accused under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) seeking regular bail in Crime No.203 of 2025 on the file of KPHB Police Station, Cyberabad, registered for the offence punishable under Sections 69, 318(2), 351(2) of BNS.

2. The case of the prosecution is that on 11.02.2025 at 08:10 p.m. the victim lodged a complaint, wherein it is stated that she met the petitioner in the year 2020 in instagram and for the first time she met him in KPHB, Hyderabad. Thereafter, the petitioner started to convince her to meet physically. When she refused, he promised her that he will marry her and convinced her and had sexual intercourse with her in the year 2022. When the victim came to know that the petitioner got married and is having 18 months baby boy, she tried to call him, but he did not respond to her calls and after few days he called her over phone and threatened to

kill her if she complains against him in police station. Basing on the same, the present crime has been registered.

3. Heard Sri K. Rohit, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

4. Learned counsel for the petitioner submits that the petitioner has not committed the offence and he was falsely implicated in the present crime. He further submits that the petitioner and the victim are known to each other since 2020. Even according to the allegations made in the complaint, the ingredients of Section 69 do not attract against the petitioner. The petitioner was arrested on 17.02.2025 and since then he is in judicial custody and the entire investigation is completed except filing of charge sheet. The petitioner is doing private employment and eking out his livelihood and his entire family is depending upon his income. The petitioner is not having any criminal antecedents and is ready and willing to cooperate with the investigation and also abide by the conditions that are going to be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence and the investigation is under progress. At this stage, if the petitioner is enlarged on bail, he will interfere with the investigation and also influence the witnesses.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 17.02.2025 and since then he is in judicial custody. Even according to the learned counsel for the petitioner, the petitioner and the victim are known to each other since 2020. Even according to the learned Additional Public Prosecutor, 12 witnesses were already 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/accused on the following conditions:

- (1) The petitioner/accused is enlarged on bail on executing a personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousand only) with two sureties for a like sum each to the satisfaction of the IV AJCJ-cum-

XV Additional Metropolitan Magistrate at Kukatpally,
Medcfhal Malkajgiri District.

(2) The petitioner/accused shall appear before the concerned SHO on every Monday at 11:00 A.M. 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) The petitioner/accused shall not contact the victim and shall cooperate with the investigation.

(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.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 02.05.2025
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