

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5968 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused in Crime No.81 of 2025 on the file of the Police Station Devarakonda, Nalgonda District, registered for the offences punishable under Section 69 of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of prosecution in brief is that on 12.03.2025 at 17:00 hours, a complaint was received from the de-facto complainant stating that the petitioner/accused followed the de-facto complainant on the guise of love and promised to marry her and had sexual intercourse with her from March-2019 several times. Thereafter in the year 2021, the accused got Special Police Constable Job and after that also the accused promised the de-facto complainant that he will marry her. The de-facto complainant has been asking the accused from the last one year to get marry but accused denied to get marry and cheated her, and also threatening her. Finally, the de-facto complainant realized the cheating of accused. Hence de-facto complainant requested to take necessary action as per law.

3. Heard Mr. Rapolu Bhaskar, learned counsel for the petitioner and Mr. Vivekananda Reddy, learned Assistant Public Prosecutor for the respondent.

4. Learned counsel for the petitioner submitted that petitioner has not committed the 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. He further submitted that petitioner is a Police Constable and he is not having any other criminal antecedents. He further submitted that petitioner and the de-facto complainant are known to each other since 2017. The petitioner is ready and willing 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*, the learned Assistant Public Prosecutor submitted that the petitioner has committed a grave offence and the investigation is under progress 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 witnesses. 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 is Police Constable and the petitioner and the de-facto complainant are known to each other since 2017. Even according to the learned Assistant Public Prosecutor, the 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 subject to the following conditions.

1. The petitioner/accused shall surrender before the Station House Officer of P.S.Devarakonda, Nalgonda District on or before 13.05.2025, 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 shall appear before the concerned SHO at 11.00 A.M. on every Monday and Saturday, 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 influence any of the prosecution witnesses in any manner and to contact the victim and her family.
4. The petitioner/accused shall abide by the other conditions stipulated in Section 482 (2) of the BNSS 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: 07.05.2025

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