

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 6341 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused in Crime No.225 of 2025 on the file of Jagithyal Town Police Station, Jagithyal District registered for the offence punishable under Section 69 of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Sections 3(1)(r)(s)(c), 3(2)(Va) Scheduled Caste/Scheduled Tribe POA Act (for short "SCs/STs POA Act"), 1989.

2. The case of the prosecution is that on 08.04.2025, the 2nd respondent/*de facto* complainant lodged a telugu written complaint stating that she is eking her livelihood by doing coolie work. She got married one Muniganti Sai Raj, but due to his harassment, she has given up conjugal life and was living separately with her son at Vidhyanagar, Jagithyal town. While so, the accused herein developed acquaintance with her and had physical relation with her by promising that he would marry her. Since few days, the accused is avoiding her phone calls and when she confronted him, he abused her in filthy language in the name of her caste and threatened to kill her. Basing on the same, the present complaint.

3. Heard Ms. M.Anaveni, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner and *de facto* complainant are known to each other since long time and he has not committed the offence and he was falsely implicated in the above crime. Even according to the allegations made in the complaint, the ingredients of Section 69 of the BNS and Sections 3(1)(r)(s)(c), 3(2)(Va) SC/ST Act are not attracted against the petitioner as he was not abused the *de facto* complainant in the name of caste and also not assaulted both mentally and physically. He further submitted that the petitioner is ready and willing to cooperate with the investigation and will 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 the petitioner and other accused have committed grave offence and the investigation is under progress. Therefore, if the petitioner is granted bail, there is every chance to influence the witnesses and to interfere with the investigation. Hence, prayed to dismiss the petition.

6. Having considered the submissions made by respective parties and after perusal of the material available on record, it reveals that the petitioner and *de facto* complainant has known to each other since long time. Even according to learned Additional Public Prosecutor, 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 anticipatory bail to the petitioner/accused subject to the following conditions:

1. The petitioner /accused shall surrender before the Station House Officer of Jagithal Town Police Station, 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.25,000/- (Rupees twenty five Thousand only) with two sureties, for the like sum each to his satisfaction.
2. On such release, petitioner/accused shall appear before the S.H.O, Jagithal Town Police Station, on every Monday at 11-00 a.m. for a period of eight (8) weeks or till filing of the 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 the witnesses or interfere with the investigation.
4. Petitioner/accused shall abide by the conditions stipulated under Section 482(2) of the BNSS and shall

cooperate with the Investigating Officer in the investigation.

8. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date: 07.05.2025
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