

THE HON'BLE SRI JUSTICE NARSING RAO NANDIKONDA

CRIMINAL PETITION No.6427 OF 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner-accused, seeking bail in Crime No.155 of 2025 on the file of Special Judge for Trial of Cases under SCs/STs (POA) Act-cum-II Additional Sessions Judge, Adilabad, registered for the offences punishable under Sections 420, 376(1), 294(b) IPC and Section 3(2) (v) of SC/STs (Prevention of Atrocities) Act,1989.

2. The case of the prosecution is that the informant belongs to Scheduled Tribe Caste and the petitioner-accused belongs to backward class caste and they got acquaintance with each other through Instagram App and subsequently their acquaintance developed into love affair and the petitioner made false promise to marry the informant by convincing her mother and under the guise of making such promise the petitioner-accused participated in sexual intercourse with the informant against her consent on 14.06.2024 at 11:00PM by calling the informant to Meenakshi Lodge, Janmabhumi Nagar, Mancherial and in the month of December, 2024, when the informant

asked the petitioner about their marriage, the petitioner abused the victim by uttering words.

3. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case by the Police at the instance of the informant to extract money. He further contended that the petitioner is appearing for ICET examination, which is scheduled to be held on 8th and 9th of June, 2025 and he submitted application through online. It is also contended that the petitioner was arrested on 21.04.2025 and since then he is in judicial custody. Earlier the petitioner filed bail application before the trial Court and the same was dismissed and the instant petition is filed seeking bail on the ground that the investigation is concluded and the material witnesses were already examined and that the petitioner is intending to appear for ICET examination and hence, he prays to grant bail to the petitioner.

4. Learned Additional Public Prosecutor appearing for the respondent-State opposed the bail application and contended that at this juncture if the petitioner is enlarged on bail there is every chance he may interfere with the investigation and hence, he prays to dismiss the bail application.

5. Heard learned counsel appearing for the petitioner/accused and learned Public Prosecutor appearing for the respondent-State. Perused the record.

6. Considering the submissions made by the learned counsel for the petitioner and as per the order, dated 29.04.2025 in CrI.M.P.No.266 of 2025 in Crime No.155 of 2025 at paragraph No.2 of page No.6, it is clearly mentioned that the entire investigation was completed and 14 witnesses including the Assistant Commissioner of Police, Mancherial, have already been examined and that the petitioner is intending to appear for the examination and the material part of the investigation is already concluded, the petitioner can be enlarged on bail with the following conditions:

(i) The petitioner-accused shall be released on bail on executing a personal bond for a sum of Rs.20,000/-(Rupees Twenty thousand only) with two sureties for a like sum each to the satisfaction of the II Additional Junior Civil Judge-cum-II Additional Judicial First Class Magistrate at Mancherial.

(ii) After release, the petitioner-accused shall appear before the concerned S.H.O.

between 11.00 a.m to 5.00 p.m. on first and third Sunday of every month 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.

(iii) After release, if the petitioner-accused indulges in any offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court.

(iv) The petitioner-accused shall abide by the other conditions stipulated in Section 480(3) of BNSS and shall co-operate with the investigation.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE NARSING RAO NANDIKONDA

Date: 21.05.2025

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