

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6635 of 2025

ORDER:

This Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner/accused, seeking bail in Crime No.88 of 2025 of Tukaramgate Police Station, Hyderabad, registered for the offences punishable under Section 69 of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'SC/ST (POA) Act').

2. The case of prosecution in brief is that on 05.05.2025 at about 17.00 hours, the *de facto* complainant lodged a complaint stating that in the year 2022, the petitioner proposed her, but she initially refused. Despite the refusal, the petitioner continued to approach her with promises of marry her over the 1 ½ year. In 2023, she accepted the proposal of petitioner and they began to chat on WhatsApp. In June, 2023, the petitioner called her to his rented house and they participated in sexual course and the same was happened several timed. During their relationship, she transferred an amount of Rs.2 lakhs to the

petitioner for his personal needs. Later, the petitioner out rightly refused to marry her. Hence, the complaint.

3. Heard Mr. K. Sai Babu, learned counsel for the petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the offence and he was falsely implicated in the present crime. Even according to the allegations made in the complaint and remand case diary, the ingredients under Section 69 of the BNS are not attracted against the petitioner. The petitioner is a software engineer and he is not having any criminal antecedents. The petitioner was arrested on 06.05.2025 and since then, he was in judicial custody. The major portion of the investigation is completed except filing of the charge sheet. 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. Hence, the petitioner is entitled for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed a grave offence and there are

specific allegations levelled against the petitioner to attract the ingredients under Section 69 of the BNS and the investigation is under progress. Hence, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner and the *de facto* complainant are known to each other since 2022. The petitioner is software engineer and he was arrested on 06.05.2025 and since then, he was in judicial custody. Even according to the learned Additional Public Prosecutor, so far fourteen (14) witnesses were examined and major portion of the investigation is completed 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, subject to the following conditions:

- (i) The petitioner/accused shall be enlarged on bail on his 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 XXII Additional Chief Metropolitan Magistrate at Secunderabad.

- (ii) The petitioner/accused shall appear before the concerned S.H.O. at 11.00 A.M. on every Saturday, 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) The petitioner/accused shall not contact the *de facto* complainant in any manner.
- (iv) The petitioner/accused shall abide by the conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 18.06.2025

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