

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6654 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner/accused seeking bail in Crime No.508 of 2025 of Vanasthalipuram Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 137(2) and 64 of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Section 5 r/w 6 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act').

2. The case of prosecution in brief is that on 16.04.2025, the complainant lodged a complaint, stating that he brought the victim, who is his sister-in-law to his house due to a quarrel that happened in her house. On 15.04.2025, the victim left the house saying that she was going to the nearby bathroom but did not return. Later, it was found that she had recharged a mobile number. Immediately they inquired with neighbors, relatives, and friends, but her whereabouts remained unknown. Based on the complaint, the present crime was registered.

3. Heard Mr.R.Prashanth, 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 is innocent person and he did not commit the alleged offence and he was falsely implicated in this crime. Even according to the allegations made in the complaint, the ingredients of Section 64 of BNS are not attracted against the petitioner. He further submitted that the petitioner was arrested on 19.04.2025 and since then he is in judicial custody and entire investigation is completed, except filing of charge sheet. He further submitted that the petitioner is a student and prosecuting his intermediate education and he is not having any other criminal antecedents. He further submitted that the petitioner is ready and willing to cooperate with the investigation and also ready to abide by the conditions, which are going to be imposed by this Court and hence, prayed for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor opposed the bail petition and submitted that the petitioner has committed grave offence and there are specific allegations against the petitioner to attract the ingredients of Sections 137(2) and 64 of BNS and Section 5 r/w 6 of the POCSO Act,

as the victim is aged about 16 years and the investigation is under progress and if the petitioner is released on bail at this stage, he may tamper with the evidence and may threaten the witnesses, and hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record and remand case diary, it reveals that the petitioner and the victim are known each other since long time and they fell in love. The record further discloses that the petitioner was arrested on 19.04.2025 and since then he is in judicial custody. Learned Additional Public Prosecutor, basing upon the written instructions furnished by the Sub-Inspector of Police, Vanastalipuram Police Station, submitted that 22 witnesses were already examined and the petitioner is not having any other 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 execute a personal bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the VII Additional Metropolitan Magistrate, Cyberabad at Hayathnagar.

(ii) The petitioner/accused shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of six (6) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.

(iii) After release, the petitioner/accused shall not try to influence any of the prosecution witnesses in any manner and shall not try to contact the victim and her family directly or indirectly.

(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:19.06.2025

vsl