

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.6741 OF 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner/accused No.1 seeking anticipatory bail in connection with Crime No.114 of 2025 on the file of the Gandhinagar Police Station, Hyderabad District, registered for the offences punishable under Sections 74, 78 of Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Section 66 read with Section 43 of the Information Technology (Amendment) Act, 2008 (for short, 'IT Act').

2. Heard Sri Dharmesh D.K. Jaiswal, learned counsel for the petitioner/accused No.1 and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for respondent No.1.

3. The case of the prosecution is that Smt. Avanthi Alluri lodged a complaint before the Gandhinagar Police Station, Hyderabad District on 04.05.2025 stating that on 29.04.2025 at about 19:53 hours she came to know that her I-phone location has been shared with Nikhil (Accused No.1) for a long

time and he was monitoring her day-to-day activities and taking advantage of the same Nikhil has access to CC Cameras of her house. When she stood near to Nikhil for a family photo, he touched her inappropriately and she warned him to shift his position. While going in the car, Nikhil started touching her back which made her uncomfortable. Basing on the said complaint, a case in Crime No.114 of 2025 has been registered on 04.05.2025 on the file of the Gandhinagar Police Station, Hyderabad District, for the offences punishable under Sections 74, 78 of BNS and Section 66 read with Section 43 of IT Act.

4. Learned counsel for the petitioner submits that the Police have issued notice under Section 35(3) of BNSS on 05.05.2025 to the petitioner to appear before them on 08.05.2025 and the petitioner appeared on 08.05.2025, 10.05.2025, 22.05.2025 and 23.05.2025 and he cooperated with the investigation. Learned counsel further submits that the petitioner inspite of appearing before the Investigating Officer is being harassed and the petitioner apprehends that he may be arrested as the Police officials visited his house on

26.05.2025 and 27.05.2025 and prayed to enlarge the petitioner on anticipatory bail.

5. Learned Additional Public Prosecutor submits that 6 witnesses are examined in this case and FSL report is awaited.

6. The record goes to show that the Police has issued notice under Section 35(3) of BNSS on 05.05.2025 informing the petitioner to appear before them on 08.05.2025 and in pursuance of the same, the petitioner made his appearance before the Police on 08.05.2025 at about 11:30 AM and he also appeared before the Police on 10.05.2025, 22.05.2025 and 23.05.2025. It appears that the petitioner is cooperating with the Investigating Agency and as the Police Officials visited the house of the petitioner on 26.05.2025 and 27.05.2025, there is an apprehension of his arrest.

7. As the petitioner is cooperating with the Investigating Agency and the Police have also examined six witnesses in support of the prosecution and the FSL report is awaited, the petitioner has made out a case for grant of anticipatory bail.

8. Taking into consideration of the above facts, this Court deems it appropriate to grant of anticipatory bail to the petitioner/accused No.1, subject to the following conditions:

1. The petitioner/accused No.1 shall surrender before the Station House Officer of Gandhinagar Police Station, Hyderabad District, on or before 20.06.2025, and on such surrender, he shall be released 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 the satisfaction of the said Station House Officer.
2. The petitioner/accused No.1 shall appear before the Police Station on every Sunday for a period of Eight weeks from 09.06.2025.
3. The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and shall co-operate with the Investigating Agency.

9. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

B.R.MADHUSUDHAN RAO, J

04th June, 2025.

Note : Issue C.C. by day after tomorrow.

PRN/PSS