

THE HON'BLE SRI JUSTICE SREENIVAS RAO
CRIMINAL PETITION No.6783 of 2025

Order:

This Criminal Petition is filed by the petitioners/accused Nos.2 to 5, seeking anticipatory bail under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS), in connection with Crime No.360 of 2025 of Choutuppal Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 87, 64, 69 and 49 of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS'), Section 3 r/w 4 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act') and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the SCs' & STs' (POA) Act').

2. The case of prosecution in brief is that on 16.05.2025, the de-facto complainant, mother of the victim, lodged a complaint stating that her elder daughter (victim girl) left home around 15:00 hours without informing anyone and did not return. The family searched nearby areas and relatives houses but could not find her. They knew a classmate, Md. Hanif, had been following her and had been warned earlier. When the daughter went missing, the complainant checked Hanif's workplace, but he was absent, and his phone was switched

off. Basing on the said complaint, the present crime is registered for the aforesaid offences.

3. Heard Mr.B.Sasi Vamshi, learned counsel for the petitioners and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent No.1-State.

4. Learned counsel for the petitioners submitted that the petitioners have not committed any offence and they were falsely implicated in this case. Even according to the allegations made in the complaint, there are no specific allegations against the petitioners to attract the alleged offences. Either in the complaint or in the remand case diary, the only allegation leveled against the petitioners is that they have dropped the victim girl and accused No.1 in the bus stop. He further submitted that petitioner Nos.1 and 4/accused Nos.2 and 5 are working as lab technicians, petitioner No.2/accused No.3 is a student and petitioner No.3/accused No.4 is working as plumber and they are not having any other criminal antecedents. He further submitted that the main accused i.e., accused No.1 was already arrested and the petitioners are 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 anticipatory bail.

5. On the other hand, learned Additional Public Prosecutor submitted that the petitioners have committed grave offence and the investigation is under progress. Therefore, if the petitioners are granted anticipatory bail, at this stage, there is every chance to influence the witnesses and to interfere with the investigation. 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, it reveals that there are no specific allegations against the petitioners to attract the offence under Sections 64 and 69 of BNS. Even according to the learned Additional Public Prosecutor, the main accused i.e., accused No.1 was already arrested and 18 witnesses were already examined and the petitioners are not having any other criminal antecedents.

7. Taking into consideration the said facts, this Court is inclined to grant anticipatory bail to the petitioners/accused No.2 to 5 subject to the following conditions.

1. The petitioners/accused Nos.2 to 5 shall surrender before the Station House Officer of Choutuppal Police Station, Rachakonda Commissionerate, on or before 26.06.2025, and on such surrender, the said Station House Officer shall release the petitioners/accused Nos.2 to 5 on bail on their executing a personal bond

for Rs.25,000/- (Rupees twenty five thousand only) each with two sureties, for a like sum each.

2. After release, the petitioners/accused Nos.2 to 5 shall appear before the concerned SHO at 11.00 A.M. on every Sunday, 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.
 3. After release, the petitioners/accused Nos.2 to 5 shall not influence the witnesses or interfere with the investigation.
 4. The petitioners/accused Nos.2 to 5 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.
8. Accordingly, the Criminal Petition is allowed.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date: 20.06.2025
vsl

J.SREENIVAS RAO, J