

THE HON'BLE SRI JUSTICE SREENIVAS RAO
CRIMINAL PETITION No.6858 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.2, seeking anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), in connection with Crime No.511 of 2025 of Kukatpally Police Station, Cyberabad, Ranga Reddy District, registered for the offences punishable under Sections 64, 89 of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Section 5 read with 6 and 21 of the Protection of Children from Sexual Offences, 2012 (for short 'POCSO Act').

2. The case of prosecution in brief is that on 14.04.2025 at 1500 hours received a complaint from Victim's mother in which she stated that 5 days ago, one known person informed that her daughter appeared in Hospital at Moosapet, on the same day the complainant asked her daughter as to why she went to hospital without intimating her, upon which victim told her that A-1 who is staying beside her house proposed his love and will marry her. On 29.06.2024, A-1 took her daughter to his friend's room at Moosapet and forcibly met physically with her by making believe her that he will marry her and A-1 continued such acts by taking victim to room and enjoyed physically with her. Then one

week back her daughter's periods were stopped and informed the same to A-1 for which on 08.04.2025 A-1 and petitioner/A-2 took her daughter to hospital and undergone scanning and given some tablets, after that her daughter bled and the same was informed by victim to the complainant. Therefore, complainant requested to take necessary action against A-1 who had sexual intercourse with her daughter and his mother/petitioner/A-2 who assisted to cause mis-carriage.

3. Heard Mr.P. Animi Reddy, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and he is falsely implicated in this case. Even according to the allegations made in the complaint and Remand Case Diary, ingredients under Sections 64 and 89 of BNS are not attracted against the petitioner. The entire allegations are leveled against A-1 only who committed the offence under Section 64 of BNS. He further submitted that A-1 was arrested and he was enlarged on bail on 26.05.2025. Even according to the prosecution, entire investigation is completed except filing of charge sheet. The petitioner is a woman and she is not having any criminal antecedents and she 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 anticipatory bail.

5. On the other hand, learned Additional Public Prosecutor submitted that the petitioner has committed grave offence and there are specific allegations leveled against the petitioner to attract the ingredients under Section 89 of BNS Act, especially while the victim is a minor. The investigation is under progress. Therefore, if the petitioner is 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 accused No.1 was arrested on 16.04.2025 against whom major allegations are leveled and he was enlarged on bail pursuant to the orders passed by the learned I Additional Sessions Judge, Medchal Malkajgiri District, at Kushaiguda in CrI.M.P.No.734 of 2025 on 26.05.2025. In respect of the other accused No.3 and 4 investigating officers issued notice under Section 35 (3) of BNSS. Even according to the learned Additional Public

Prosecutor, the petitioner is not having any criminal antecedents and 12 witnesses were already examined.

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

1. The petitioner/accused No.2 shall surrender before the Station House Officer of Kukatpally Police Station, Cyberabad, Ranga Reddy District, on or before 02.07.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.2 on bail on her executing a personal bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties, for a like sum each.
2. After release, the petitioner/accused No.2 shall appear before the concerned SHO on every Monday for a period of (06) weeks or till filing of charge sheet, whichever is earlier and thereafter, as and when required.
3. After release, the petitioner/accused No.2 shall not influence the witnesses or interfere with the investigation or contact the victim.
4. The petitioner/accused No.2 shall abide by the other conditions stipulated in Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.
5. After release, if the petitioner/accused No.2 is indulged in similar offence, liberty is granted to the respondent to file application for cancellation of anticipatory bail.

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8. Accordingly, the Criminal Petition is allowed.

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

Date:26.06.2025
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J.SREENIVAS RAO, J

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Date:26.06.2025

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