

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7402 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.551 of 2025 of Saroornagar Police Station, Rachakonda, registered for the offences punishable under Sections 137(2) and 64(2)(m) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS'), Section 5 r/w 6 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 28.05.2025, the complainant lodged a complaint stating that her husband had passed away three years ago and since then, she had been living with her daughter at Dilsukhnagar and working as a cook at Mrudula Ladies Hostel, Dilsukhnagar. On 27.05.2025, around 11:00 hrs, her daughter, an intermediate 1st-year student, left the hostel without informing anyone after being scolded for speaking with the petitioner. Despite searching and inquiring with friends and relatives, she could not be found and she

suspects the petitioner's involvement in her daughter's disappearance. Basing on the same, the present complaint was registered.

3. Heard Mr.M.Muralidhar, learned counsel representing Mr.M.Ajay Kumar, 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 offences and he was falsely implicated in this crime. Even according to the allegations made in the complaint, the petitioner and the victim are known each other since childhood and they love each other, hence, the ingredients of Section 64(2)(m) of BNS are not attracted against the petitioner. He further submitted that the petitioner was arrested on 10.06.2025 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 not having any other criminal antecedents and he 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 offences 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, it reveals that the petitioner and the victim are known each other since childhood, they fell in love and they belongs to very same village. The record further discloses that the petitioner was arrested on 10.06.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, 21 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.30,000/-(Rupees thirty Thousand only) with two sureties for a like sum each to the satisfaction of the Special Judicial Magistrate of First Class (Excise), Rangareddy-cum-V Additional Judicial Magistrate of First Class-cum-V Additional Junior Civil Judge, Rangareddy District at L.B.Nagar.

(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, de-facto complainant 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:01.07.2025

vsl