

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7391 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking bail to the petitioner/accused in Crime No.252 of 2025 of Keesara Police Station, Rachakonda Commissionerate, registered for the offence punishable under Section 69 of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'SCs/STs (POA) Act').

2. The case of the prosecution is that the *de facto* complainant/victim, resident of Faleer Gutta, Utnoor, came to Hyderabad on 04.08.2023 to attend the Gurukula Exam. While waiting for a bus, she was approached by the petitioner, who claimed to be from Uber service, offered her a lift. They exchanged mobile numbers and started communicating with each other. On 29.10.2023, when

she came to Hyderabad for the TET Exam, the petitioner made her believe and took her to Sindhu Apartment at Dammaiguda, Keesara, where he forcibly raped her. He promised to marry her and continued to sexually exploit her under that pretext. Later, the petitioner started avoiding her. When she questioned him, he abused her in filthy language and insulted her by referring to her caste. Based on her complaint, a case was registered at Utnoor Police Station and later transferred to Keesara Police Station due to jurisdiction. Hence, the complaint.

3. Heard Mr. Praveen Kumar Dubey, 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 petitioner has not committed alleged offences and he was falsely implicated in the said crime. The petitioner never abused the *de facto* complainant in the name of her caste, hence, the ingredients under Section 69 of the BNS are not

attracted. The petitioner himself surrendered before the Investigating Officer on 15.05.2025 and since then, he is in judicial custody. The petitioner is doing private job in medical agency and eking out his livelihood. The petitioner is not having any criminal antecedents and entire investigation is completed except filing of the charge sheet. The petitioner is ready and willing to cooperate with the investigation and also abide by the conditions, which are going to be imposed by this Court. Hence, the petitioner is entitled for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed grave offence and the investigation is under progress. At this stage, if the petitioner is enlarged on bail, he will interfere with the investigation and influence the witnesses. Hence, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material

available on record, it reveals that the *de facto* complainant and the petitioner are known to each since 2023. The petitioner was arrested on 15.05.2025 and since then, he is in judicial custody. Even according to the learned Additional Public Prosecutor, the petitioner is not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail in favour of 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 trial of SCs and STs cases-cum-VII Additional District Metropolitan Magistrate-cum-V Additional Junior Civil Judge, Ranga Reddy District at L.B.Nagar.

- (ii) After release, the petitioner/accused shall appear before the concerned S.H.O. at 11.00 a.m. on every Monday for a period of six (6) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- (iii) The petitioner/accused shall not contact the *de facto* complainant in any manner.
- (iv) The petitioner/accused shall abide by the conditions stipulated in Section 483 (3) of the BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 07.07.2025

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