

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.8387 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.320 of 2025 of Ameenpur Police Station, Sangareddy, registered for the offences punishable under Section 64(1) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Sections 3 r/w 4 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act').

2. The case of prosecution in brief is that the accused and the victim had known each other since she was studying 7th Class. During their acquaintance, the accused gave her a mobile phone when she was in 10th Class, and they began communicating regularly. He proposed to her, and they exchanged messages. On 07.06.2025 at around 10:00 p.m., the accused went to her house in a car bearing No.TS 08 FD 4391. While he was waiting near her house, the victim came out, and after a brief conversation, they sat in the car. It is alleged that the victim hugged and kissed the accused, and they became physically intimate, engaging in sexual intercourse in the car. Later, on

12.06.2025, the victim messaged the accused stating that her periods were delayed, possibly due to PCOD, and he advised her to take a pregnancy test. The said conversation was seen by the victim's mother and on 15.06.2025, she lodged a complaint and basing on the same, present crime was registered.

3. Heard Mr.P.Kashyap, 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. He further submitted that even according to the allegations made in the complaint, the ingredients of Section 64(1) of BNS are not attracted against the petitioner. He further submitted that the petitioner and the victim are childhood friends, and that the present complaint has been lodged by the complainant, who is none other than the mother of the victim, only on the basis of telephonic conversations between the petitioner and the victim. He further submitted that the petitioner was arrested on 17.06.2025 and since then he is in judicial custody and the 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 and remand case diary, it reveals that the petitioner and the victim are childhood friends and they know each other and the petitioner was arrested on 17.06.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, 10 witnesses were already examined and the petitioner is not having any other criminal antecedents.

7. During the course of hearing, learned counsel for the petitioner submitted that the petitioner is a student and he is pursuing M.A. in Music.

8. 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 I Additional District and Sessions Judge, Sangareddy.

(ii) The petitioner/accused shall appear before the concerned SHO at 11.00 A.M. on every Saturday, for a period of eight (8) 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 contact the victim and her family members in any manner.

(iv) After release, petitioner/accused shall not influence the witnesses or interfere with the investigation.

(v)The petitioner/accused shall abide by the conditions stipulated in Section 483 (3) of BNSS.

9. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date:17.07.2025
vsl/vjb