

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.9876 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.312 of 2024 of Chikkadpally Police Station, Hyderabad, on bail, the present criminal petition is filed.

2. The brief facts of the case are that, the *de facto* complainant lodged a report before the police on 23.09.2024 at about 8:30 PM, stating that she was preparing for her Group-II Main exams and residing at Ashok Nagar, Hyderabad. During this time, she became acquainted with the accused, who used to follow her and expressed that he was in love with her. Later, by making false promises, the accused met her physically. Subsequently, she found out that he was behaving in a similar manner with two other girls. When she asked him to marry her, he said he did not have a job. He then convinced her to take pictures resembling wedding photos to make her believe they were married in June, 2023. However, when she later again requested him to marry her, he refused, stating that she belonged to the SC community. The complainant, therefore, requested the police to take necessary action. Based on the complaint, the police registered a case in

Crime No. 312 of 2024 of Chikkadpally Police Station, Hyderabad, for the offences punishable under Sections 417, 376(2)(n), 323, 506 of IPC, 3(2)(v) of SC/ST (POA) Act-2015.

3. Heard Ms. G.Mallesha, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and has been falsely implicated in the present case. *Secondly*, it was submitted that the FIR was registered in September, 2024. Subsequently, the petitioner and the *de facto* complainant got married, and the complainant gave a letter to the police stating that she wished to withdraw the case. Her statement under Section 164 Cr.P.C. was also recorded, wherein she confirmed that they were married and that she wanted to withdraw the complaint. However, later on 10.07.2025, the *de facto* complainant gave another statement, alleging that after the said marriage, the petitioner started ill-treating her. She further stated that the marriage was a result of deception and false promises, and that she had withdrawn her earlier complaint based on trust. She also alleged that the petitioner's family members abused her on the basis of her caste. Based on this complaint, the

petitioner was arrested and remanded to judicial custody on 11.07.2025.

4.1. Learned counsel *lastly* submitted that the complainant had already married the petitioner and had voluntarily given a letter stating her intention to withdraw the case. Therefore, it was argued that no offence is made out against the petitioner. Hence, he prayed that the petitioner may be enlarged on bail by allowing the present criminal petition.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, stating that the offences alleged against the petitioner are serious in nature. He further submitted that the investigation is still pending. Therefore, he prayed that the Court may dismiss the criminal petition.

6. After considering the submissions made by both parties and upon perusal of the material available on record, it is observed that the FIR was originally registered in the month of September, 2024. Thereafter, the *de facto* complainant submitted a letter expressing her intention to withdraw the case, and subsequently, both the petitioner and the complainant got married. As per her statement recorded under Section 164 of the Cr.P.C., the complainant stated before the Magistrate that she wished to withdraw the case.

However, later she alleged that the petitioner married her only to facilitate the withdrawal of the case and thereafter began harassing her again. The petitioner was arrested and remanded to judicial custody on 11.07.2025. It is noted that 19 witnesses have already been examined, and no part of the investigation is stated to be pending. The material part of the investigation appears to be completed. In the said circumstances, this Court is of the considered view that it is a fit case for grant of bail to the petitioner, subject to the following conditions:

- i. The petitioner-accused No.1 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the IX Additional Chief Metropolitan Magistrate, Hyderabad.
- ii. The petitioner-accused No.1 shall appear before the concerned Station House Officer on every Wednesday at 11:00 A.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier, for the purpose of

investigation, and thereafter, as and when required.

- iii. The petitioner-accused No.1 shall abide by the other conditions stipulated in Section 480(3) of Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 11.08.2025
dsv/js

THE HONOURABLE SMT. JUSTICE K. SUJANA

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dated 11.08.2025

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