

**THE HONOURABLE SMT. JUSTICE K. SUJANA**

**CRIMINAL PETITION No.9898 of 2025**

**ORAL ORDER:**

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused in Crime No.196 of 2025 of Jagtial Rural Police Station, Jagtial District.

2. The brief facts of the case are that prior to 06.05.2025 at Thippannapeta Village, Jagtial Rural Mandal, the accused Mulasapu Rajesh, aged 27 years, resident of Hasnabad, Jagtial, allegedly wrongfully restrained the complainant Bharathapu Divya, aged 26 years, and committed rape on her. It is further alleged that the accused also threatened to kill her with dire consequences. The incident was reported on 07.05.2025.

3. Heard Sri Madas Bharath Chandra, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent - State and Sri R.R. Kalyan, learned

counsel appearing on behalf of respondent No.2/de facto complainant.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the alleged offence and that the complainant and the accused were in a relationship. He further submitted that the complaint was lodged three years after the alleged incident. He further submitted that the complainant has now completed her Master of Commerce and is presently working as a teacher at New Millennium High School, Jagtial. He contended that the petitioner and the complainant had entered into a relationship and subsequently compromised the matter. Therefore, he prayed that the Court be pleased to grant pre-arrest bail to the petitioner by allowing this criminal petition.

5. Learned counsel for respondent No.2 submitted that respondent No.2 and the petitioner have compromised the matter and further stated that the physical relationship between them was consensual, with no coercion or deception involved on the part of the petitioner during their relationship. Therefore, he prayed that the Court may be pleased to pass appropriate orders.

6. On the other hand, learned Additional Public Prosecutor submitted that the alleged offence is heinous in nature. Therefore, granting of pre-arrest bail in this case does not arise and prayed the Court to dismiss the criminal petition.

7. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it is observed that the complaint was lodged after an unexplained delay of three years from the date of the alleged incident, and the petitioner and the complainant had been in a consensual relationship and have since compromised the matter. Therefore, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Jagtial Rural Police Station, Jagtial District, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.

- ii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.
- iii. The petitioner shall appear before the concerned Investigating Officer on every Wednesday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required

8. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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**K. SUJANA, J**

Date: 25.08.2025  
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