

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.9917 of 2025

ORAL ORDER:

Seeking the Court to enlarge the petitioner, who is arrayed as accused in Crime No.42 of 2025 of Panjagutta Police Station, Hyderabad, registered for the offences punishable under Sections 331(5), 78, 75 of Bharatiya Nyaya Sanhita (for short, 'BNS') and Section 7 read with Section 8 of the Protection of Children from Sexual Offences Act, 2012 (for short, 'POCSO Act'), on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 17.01.2025, the mother of the victim lodged a complaint with the Police stating that the victim resides with her parents. On the date of the incident, at around 4:00 PM, the victim returned home from school as usual. At that time, the complainant and her husband were at work. Taking advantage of the absence of the parents, the accused entered the house and inappropriately hugged the victim from behind, causing her distress. The victim shouted in alarm, prompting the accused

to flee the scene immediately. Upon returning home at around 7:30 PM, the complainant was informed by her daughter about the incident. The victim further revealed that the same individual had previously attempted similar acts and used to follow her while she was returning home from school, causing her trouble.

3. Basing on the said complaint, the police registered a case against the petitioner *vide* Crime No.42 of 2025 for the above said offences.

4. Heard Sri Mahadev Anyarambhatla, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent - State.

5. Learned counsel for the petitioner submitted that the petitioner is innocent and has not committed any offence, due to the enmity between the petitioner and the family of accused, he has been falsely implicated in the present case. He further submitted that the petitioner was arrested on 17.01.2025, and that the material part of the investigation has been completed. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner by contending that the allegations against the petitioner were serious in nature and that the victim is aged about 16 years and that the investigation is in progress and if the petitioner is released on bail, at this stage, he may tamper with the evidence and may threaten the witnesses. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it is observed that the petitioner is in jail from 11.07.2025. As the material part of the investigation is completed and the statement of 15 witnesses along with victim were recorded and considering the facts and circumstances of the case, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner 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 Station House Officer, Panjagutta Police Station, Hyderabad.

- ii. The petitioner shall appear before the concerned SHO at 11:00 A.M., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 483(3) of BNSS.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 12.08.2025
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