

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.11129 OF 2025

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.173 of 2025 of Leeja Police Station, Jogulamba Gadwal District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the *de-facto* complainant/victim lodged a report against the petitioner/accused before the Police stating that the petitioner and the *de-facto* complainant had been in a relationship for the past three years. The petitioner had promised to marry the *de-facto* complainant and established a physical relationship with her. However, the petitioner later refused to marry her. The *de-facto* complainant did not inform her parents about the relationship. Her parents performed her marriage with another person. When her husband became suspicious and took her to the hospital, it was revealed that she was eight months pregnant. As a result, her husband abandoned her at her paternal home. Hence, the

complainant requested to take necessary action. Basing on the said complaint, the Police registered a case *vide* Crime No.173 of 2025 for the offence punishable under Section 69 of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

3. Heard Sri G.Rajeshwar Rao, learned counsel appearing on behalf of the petitioner as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the alleged offence and he is in judicial custody since 20.08.2025. The investigation is already completed and the Section 69 of the BNS is not applicable as the *de-facto* complainant has married another person. 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 stating that the investigation

was not yet completed. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon perusal of the material available on record, admittedly, the *de-facto* complainant had already married another person and as seen from the record petitioner is in jail from 20.08.2025. Therefore, 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) each, with two sureties for a like sum each to the satisfaction of the learned Judicial First Class Magistrate at Gadwal.
- ii. The petitioner shall appear before the SHO concerned at 11:00 a.m., on every Monday 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. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 04.09.2025

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4.09.2025

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