

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.11137 of 2025

ORAL ORDER:

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioner, who arrayed as accused in connection with FIR dated 02.08.2025 in Crime No.447 of 2025 before Sanathnagar Police Station, Cyberabad Commissionerate, registered for the offence punishable under Section 69 of BNS.

2. The case of the prosecution is that on 02.08.2025, the *de-facto* complainant lodged complaint before the Police stating that on 05.03.2025 one Shanmukeshwar Reddy introduced himself with intentions of marriage. They began communicating and mutually agreed to marry. However, on 12.03.2025, he allegedly took her to his friend Sunil's room on HP Road and forcibly had sexual intercourse with her. Subsequently, he took her to his residence in Kompally and again allegedly forced sexual relations. Later, the complainant discovered that Mr. Shanmukeshwar Reddy was engaged to another woman. When she confronted him, he dismissed her concerns, saying that he won't marry her. On receipt of the said complaint, a case was registered against the

petitioner, for the offence as alleged. Aggrieved thereby, this Criminal Petition is filed seeking anticipatory bail of the petitioner.

3. Heard Sri Chekuri Yadagiri, learned counsel for petitioner, and Sri Arun Kumar Doddla, learned Additional Public Prosecutor, appearing for respondent – State.

4. Learned counsel for petitioner submitted that the petitioner was innocent of the offence alleged and that the complainant had a tendency to blackmail and that she used to threaten the petitioner by saying she would implicate him in a false case and send him to jail. He further submitted that the petitioner was a private employee and a law-abiding citizen, and that no such offence had been committed by him and that the *de-facto* complainant was a married woman who had suppressed this fact and uploaded her profile on matrimony.com without obtaining a valid divorce. He contended that it was a private arrangement between the parties and that her first husband had filed F.C.O.P. No. 883 of 2025 for dissolution of marriage on 12.05.2025, as such the question of the petitioner promising to marry her while her first marriage was still subsisting did not arise. Therefore, he prayed the Court to allow the criminal petition, granting the relief of anticipatory bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor, vehemently, opposed the submissions made by learned counsel for petitioner, and submitted that the allegations against the petitioner were of a heinous nature and that the investigation was still ongoing, as such he prayed the Court to dismiss the criminal petition.

6. Having regard to the rival submissions made and upon perusal of the material placed on record, it is noted that the *de-facto* complainant alleged she was induced into a physical relationship under the promise of marriage. In contrast, the petitioner contended that the complainant was already married and had not obtained a valid divorce and further submitted that her first husband had filed F.C.O.P.No. 883 of 2025 for dissolution of marriage on 12.05.2025, and that the marriage was subsisting on the date of the alleged incident, as such the petitioner argued that Section 69 of the BNS was not attracted. Taking into account the fact that the *de-facto* complainant was a married woman at the relevant time, this Court deemed it appropriate to grant pre-arrest bail to the petitioner, subject to compliance with the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Sanathnagar Police

Station, Cyberabad Commissionerate, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail, on petitioner executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), 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.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 11.09.2025
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