

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12040 of 2025

ORDER:

Seeking the Court to enlarge the petitioner, who arrayed as accused in Crime No.479 of 2025 of Filmnagar Police Station, Hyderabad, on bail, the present petition is filed.

2 . The brief facts of the case are that on 28.07.2025, a *de-facto* complainant lodged a report with the police stating that she had become acquainted with the petitioner and they had been in a relationship. They regularly met, visited restaurants and pubs, and communicated frequently over phone calls and messages. On 28.07.2025, at around 09:00 hours, she went to the workplace of the petitioner to discuss their marriage. At that time, the petitioner allegedly slapped her, forcefully took her phone, threw it, and destroyed it. He also used abusive language, scolded her, refused to allow her inside the premises, and wrongfully confined her for two hours, as such she requested police for necessary action. Based on her complaint, the police registered a case *vide* Crime No.479 of 2025 for offences punishable under Sections 69, 74, 79,

127(2), 115(2), 324(4), and 238 of BNS. Initially, the case was registered only under Sections 79, 127(2), 115(2), and 324(4) of BNS. When the accused was produced before the Court, the remand was rejected as all the offences were punishable with imprisonment of less than seven years. Subsequently, the police recorded the statement of the victim and added Section 69 of BNS to the charges. The accused was again produced before the Court and has been in jail since 02.08.2025.

3. Heard Sri C. Sharan Reddy, learned counsel appearing for 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 allegations made in the complaint were false and the petitioner was innocent of the said accusations and that there was no promise of marriage made by the petitioner, and despite knowing that the petitioner was a married man, the complainant continued her relationship with him. He further submitted that the remand case diary itself reflected that the complainant was aware of the marital status of the petitioner

yet chose to maintain the relationship, as such he contended that Section 69 of BNS was not applicable in the present case. Initially, the trial Court had rejected the remand of the petitioner, but later, based on an improved version of the complaint, Section 69 of BNS was added and the petitioner was remanded. He further contended that the petitioner had been in judicial custody since 02.08.2025, while accused Nos.2 and 3 had already been released on bail and that all material witnesses had been examined, and therefore, further detention of the petitioner was unnecessary. 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, contending that the allegations against the petitioner were of a serious and heinous nature and that the investigation is still in progress, releasing the petitioner on bail at this stage may lead to tampering with evidence or intimidation of witnesses and prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it is noted that the petitioner has been in judicial custody since 02.08.2025 and a substantial part of the investigation has already been completed, as reflected in the remand case diary, LWs.1 to 15 have been examined. It is further observed that Section 69 of BNS was not initially invoked in the FIR. The petitioner and the *de-facto* complainant have been in a relationship since October 2024. Despite being aware that the petitioner is a married person, the complainant continued her relationship with him. Considering the above circumstances, and taking into account the stage of investigation and the nature of the allegations, this Court finds it appropriate 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 the learned XVII Additional Chief Judicial Magistrate at Nampally, Hyderabad.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week 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: 23.09.2025
SS

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