

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12264 OF 2025

ORDER :

This criminal petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/Accused seeking enlargement on bail in connection with Crime No.991 of 2025 of KPHB Colony Police Station, Cyberabad. The offences alleged against the petitioner are under Section 69 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and under Section 3(2)(v) of SC/ST (POA) Act.

2. The case of the prosecution is that the complainant lodged a report on 02.08.2025 before police stating that she is residing with her parents and brother, had completed her degree and was staying at home. During her college years, the petitioner herein resided as a tenant in her uncle's house located beside her residence. He frequently stared at her and vacated the house after five months. Later, through his friends, he shared his mobile number with the complainant and requested her to call him. She contacted him using her mother's phone, during which he expressed his love and intention to marry her. Initially due to fear she disconnected the call, but the accused continued to visit her college and eventually proposed to her directly. After some hesitation, she accepted his proposal, and they began communicating regularly through

calls and messages, meeting frequently. In 2023, while she was in her first year of degree, the accused took her to Hanka Residency OYO Hotel, KPHB, where he booked a room and, despite her resistance, forcibly had physical intercourse with her under the pretext of marriage. Though the complainant tried to avoid him, he re-approached her with various excuses and continued to have sexual relations with her multiple times at the same hotel. It is also stated that after completion of her degree, when her family began searching for marriage alliances, she informed the same to the petitioner and he requested more time to settle in life and delayed the matter. Meanwhile, her family fixed a match, and in a distressed state, she attempted suicide. Upon questioning the complainant revealed her relationship with the accused to her parents, following which her parents beat her, confiscated the mobile phone given by the accused, and confined her at home, leading to another suicide attempt. Her parents then contacted the accused, who again asked for more time. When her family resumed match-searching, she informed the accused and met him wherein they went to Srisailam and stayed together for two days, pretending to be a married couple rented a room in Uppal, where they continued physical relations. When she insisted for marriage, the accused refused, stating caste differences and family objections, and offered her money to end the relationship. The

complainant alleged that the accused had deceived her under the guise of marriage and requested the police for necessary legal action against him. Basing on the said complaint police registered the case against the accused for the said offences.

3. Heard Sri Nambi Krishna, learned counsel for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner contended that petitioner and complainant are in relationship from the year 2023 and it is a consensual relationship. The complainant is aged 27 years and she is well aware of the consequences out of the relationship. The petitioner is in jail from 08.08.2025 and material part of investigation is completed. As such, requested this Court to grant bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the investigation is not yet completed and the allegations against the petitioner are serious and heinous in nature. Only on the ground that victim belongs to scheduled caste community, petitioner refused to marry her and he exploited her under the promise of marriage and prayed to dismiss this petition.

6. On receiving notice the victim appeared before the Court and she contended that if bail is granted, petitioner will marry another girl. As such, requested this Court to dismiss this petition.

7. Considering the submissions made by the respective parties and the material placed on record, the offences alleged against the petitioner are under Section 69 of BNS and as seen from the complaint, the complainant and petitioner were in relationship from 2023 and alleged exploitation was in the year 2023 and it was continued till 2025. The only ground raised by the victim for dismissing this petition is that if petitioner is released on jail, he will marry another girl, but that is not a ground to deny bail to the petitioner. Considering that the petitioner is in jail from 08.08.2025, and material part of investigation is completed, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner/Accused 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 XV- Metropolitan Magistrate, Kukatpally, Medchal Malkajgiri.
- ii. The petitioner/Accused shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.

- iii. The petitioner/Accused shall abide by the conditions stipulated in Section 483(2) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date :25.09.2025
Rds

K. SUJANA, J

THE HON'BLE SMT. JUSTICE K. SUJANA

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Rds