

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12418 of 2025

Seeking the Court to enlarge the petitioner who is arrayed as accused in FIR.No.161 of 2025 of Kesamudram Police Station, Mahabubabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that, on 15.05.2025, the de-facto complaint lodged a report before the police stating that she is a married woman and her husband name is Gane Venkanna, her marriage was solemnized at about 34 years back and she blessed with two male children namely 1. Bharath aged about 31 years, 2. Mythili aged about 29 years, it is further stated that her family migrated to Ameenapuram Village in the year 2001 and happened to meet with petitioner herein. The de-facto compliant further submitted that the petitioner made her to believe with his optimistic words and lured her and due to which de-facto complaint surrendered to the petitioner. The de-facto complaint further alleged that the petitioner married her in a temple at Vemulavada, the

de-facto compliant shifted to Warangal and both are living there in rented house, the de-facto complaint further alleged that the petitioner got married in the year 2007 and at the time his marriage he assured the complainant to look after as usual and to bear all the expenses including performing marriages of her children but it is alleged that the petitioner failed to fulfill his promise and left her as an orphan. Hence, requested to take action against the petitioner. Basing on the said compliant, the police registered a case in Crime No. 161 of 2025 for offence punishable under section 69 of Bharatiya Nyaya Sanhita, 2023.

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

4. Learned counsel for the petitioner submitted that the petitioner is in jail from 05.09.2025. It is further submitted that the de-facto complainant lodged a report before the police on 15.05.2025 and FIR was registered

on 05.07.2025 i.e. after two months of delay and registered a case against the petitioner. It is further submitted that the averments in the compliant itself shows that there was no promise of marriage, as the petitioner herein has already married the de-facto complainant in a temple at Vemulavada and they were in relationship till 2010, as such the ingredients of Section 69 of BNS does attract. 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 allegations leveled against the petitioner are serious in nature. Further, the investigation is 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, it appears that the averments in the

compliant itself shows that there was no promise of marriage, as the petitioner herein has already married the de-facto complainant in a temple at Vemulavada and they were in relationship till 2010 and the petitioner herein again married to one muslim woman and de-facto complainant lodged a report before the police on 15.05.2025 and FIR was registered on 05.07.2025 i.e. after two months of delay and further, the petitioner is in jail from 05.09.2025. Considering the facts and circumstances of the case, the nature of the allegations, the stage of investigation, and the duration of incarceration, this Court finds it appropriate 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.15,000/- (Rupees Fifteen Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned Additional Judicial First-Class Magistrate, at Mahabubabad.

- ii. The petitioner/ accused 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/ accused 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: 24.09.2025
TU

33

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.12418 of 2025

Date:24.09.2025

TU