

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13479 of 2025

This Criminal Petition is filed before this Court for grant of bail to the Petitioner who is arrayed as accused in FIR No.217 of 2025 of Kulsumpura Police Station, Jiyaguda, Hyderabad, registered for the offences punishable under Sections 69 of the Bharatiya Nyaya Sanhita (for short 'BNS').

2. The brief facts of the case are that on 25.09.2025, the de-facto complainant lodged a report before the police stating that the accused, her former batchmate, emotionally manipulated and sexually exploited her under the false promise of marriage. The complainant, who has been married since 2008 and has two children, was reportedly going through marital disputes when she met the accused in April 2022 at a Communication Police Constable Examination Centre. The accused allegedly consoled her, gained her trust and developed an intimate relationship with her, repeatedly assuring her that he would marry her once she obtained a divorce from her husband. Relying on his assurances, she consented to a physical relationship and also bore all expenses related to their meetings at hotels and private venues. It is further alleged that on 28.07.2024 at Flagship Raga Stays, Vanasthalipuram, the accused performed a symbolic marriage ritual by tying a mangalsutra and placing mettalu, thereby deceitfully inducing her to believe that a lawful marriage had

taken place. After she initiated divorce proceedings based on his assurances, the accused allegedly began to avoid her, cut off communication and ultimately refused to marry her. This betrayal reportedly drove her to attempt suicide, resulting in hospitalization and psychiatric treatment. She also alleged emotional blackmail, mental harassment and financial exploitation by the accused. Although he allegedly deleted digital evidence, she claims to possess medical records, psychiatric reports, voice recordings, and chat messages corroborating her allegations. Hence, she requested to take necessary action. Basing on the said complaint, the police registered a case for the above said offences.

3. Heard Sri K.Rajashekar, 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 allegations made against the petitioner are false and motivated. It was contended that the alleged relationship between the petitioner and the de-facto complainant was consensual and extended over a period of several years. At no point did the petitioner force or coerce the complainant into any act. The petitioner is 24 years old, whereas the de facto complainant is 33 years old and has two children. It was submitted that the complainant had not obtained a divorce from her earlier marriage at the time of the alleged relationship. Therefore, it was argued that the essential ingredients of Section 69 of the BNS are not

attracted, as it must be demonstrated that the promise of marriage was false from the very inception. The petitioner has been in judicial custody since 03.10.2025. Both the petitioner and the de facto complainant are employed as constables. Therefore, he prayed the Court to grant bail to him by allowing this criminal petition.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, contending that the allegations against the petitioner are of a serious and grievous nature. It was submitted that the investigation has been completed. Therefore, he prayed the Court to dismiss the criminal petition.

6. Considering the submissions made by both learned counsel and upon perusal of the material on record, it appears that Section 69 of the BNS may not be attracted in the present case. Even as per the version of the de facto complainant, she is a 33 year old married woman with two children and she had not obtained a divorce from her husband at the time of the alleged relationship. She appears to be sufficiently mature to understand the nature and consequences of her actions. The petitioner has been in judicial custody since 03.10.2025. Further, almost all the material witnesses have been examined. Considering the facts and circumstances of the case, this Court finds it appropriate to grant bail to the petitioner/accused 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) each, with two sureties for a like sum each to the satisfaction of the learned XVI Additional Chief Judicial Magistrate at Nampally, Hyderabad.
- 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: 17.10.2025
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