

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14162 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused in Crime No.1236 of 2025 before the Medipally Police Station, Rachakonda Commissionerate.

2. The brief facts of the case are that the de facto complainant lodged a complaint against the petitioner alleging that the petitioner, after becoming acquainted with her during her employment at Habsiguda, developed a close relationship with her, promised to marry her despite being already married, and had physical relations with her under that false pretext. It was further alleged that she became pregnant, and the petitioner forced her to take abortion tablets leading to miscarriage, and later abused and assaulted her when confronted.

3. Heard Sri Baglekar Akash Kumar, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the relationship between the parties was purely consensual and continued even after the complainant knew the petitioner was married and that the complaint was filed only due to subsequent differences. He further submitted that there was no element of deceit or coercion constituting any criminal offence and that the petitioner was a permanent resident, not a flight risk, and that the FIR was registered on 16.10.2025, by which time the investigation had substantially progressed. In support of his submissions, he relied upon the judgments of **Gurbaksh Singh Sibbia v. State of Punjab** and **Ansaar Mohammad v. State of Rajasthan**, contending that anticipatory bail be granted as custodial interrogation was unnecessary. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel

for petitioner, stating that the allegations leveled against the petitioner are serious in nature. At this stage, granting of pre-arrest bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the Criminal Petition.

6. In the light of the submissions made by both the learned counsel and on perusal of the material available on record, it appears that the allegations in the complaint disclose that the relationship between the petitioner and the de facto complainant was consensual in nature, and there is no material to indicate any element of coercion or force. The dispute appears to have arisen out of personal differences between the parties after a prolonged relationship. Considering the facts and circumstances of the case, the age of the victim, and the marital status of both the parties, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Medipally Police Station, Rachakonda Commissionerate, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for

Rs.25,000/- 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 Monday 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: 11.11.2025
SAI

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