

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15675 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioners/accused Nos.2 to 4 in Crime No.1587 of 2024 of Madhapur Police Station, Cyberabad.

2. The brief facts of the case are that accused No.1 had sexual intercourse with the victim repeatedly and when the victim got pregnant, accused No.1 besides aborting her, also refused to marry her on the pretext of his career. It is stated that accused No.1 not only abused the victim in filthy language, but also performed his engagement with another girl by deceiving the victim. Hence, a case registered vide Crime No.1587 of 2024 before the Madhapur Police, Cyberabad, for the offences punishable under Sections 376(2)(n), 313 of the IPC and Section 3(2)(v) of the SC/ST (POA) Act.

3. Heard Sri Nayakawadi Ramesh, learned counsel appearing on behalf of the petitioners as well as Sri Syed

Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners *firstly* submitted that the petitioners are innocent and they are is no way concerned with the alleged offences. He *secondly* submitted that except the allegation that the petitioners, along with accused No.1, threatened the victim, there are no specific allegations against the petitioners. He *thirdly* submitted that though there is no corroborative evidence, the petitioners were implicated in the case with false and fabricated allegations. He *lastly* submitted that the petitioners are residents of Warangal District, with movable and immovable properties, and are willing to furnish sureties as directed. Hence, he prayed the Court to grant anticipatory bail to the petitioners.

5. On the other hand, learned Additional Public Prosecutor submitted that the investigation is not yet completed, therefore, granting anticipatory bail to the petitioners, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the submissions made by both the parties and a perusal of the material placed on record, *prima*

facie, it is apparent that the only allegation against the petitioners are that they threatened the victim to leave the relationship with accused No.1 and except that allegation, there are no specific allegations against the petitioners. It is pertinent to note that material part of the investigation is completed. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioners.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioners subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer of P.S. Madhapur, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioners shall appear before the concerned Station House Officer on

every Monday between 9:00 A.M. to 10 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.

- iii. The petitioners 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.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 03.01.2025
gms

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