

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.15096 of 2025

2nd DAY OF DECEMBER 2025

Between:

Thatikayala Chandu @ Chandu.

PETITIONER

The State of Telangana, Lalaguda Police Station,
Represented by Public Prosecutor
High Court for the State of Telangana,
at Hyderabad.

RESPONDENT

ORDER

This Criminal Petition is filed for grant of pre-arrest bail to the petitioner who is arrayed as accused in Crime No.221 of 2025 before the Lalaguda Police Station, Hyderabad, registered for the offences punishable under Sections 64 and 137(2) of BNS and Sections 5 read with 6 of POCSO Act.

2. The brief facts of the case are that a complaint lodged on 21.10.2025 by de facto complainant, who reported that her younger daughter, aged about 17 years and a first-year degree student, had

not returned home after leaving for college in the morning. Upon enquiry, the college staff informed her that the girl had not attended classes that day, and her friends were also unaware of her whereabouts. Despite searching in nearby and known areas, the family could not trace her. The complainant suspected one person named Chandhu to be involved and requested necessary action.

3. Heard Sri N.N. Somendra Reddy, learned counsel for petitioner, and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for petitioner submitted that the petitioner is innocent and no ingredients of Sections 64 and 137(2) of the BNS, or Sections 5 r/w 6 of the POCSO Act, were disclosed in the complaint and that the complaint did not contain any allegation of taking, enticing, removing, or retaining the minor from lawful guardianship and that mere suspicion could not justify prosecution. He contended that there was no nexus between the petitioner and the missing girl, and the proceedings appeared to be a misuse of criminal law, particularly as a similar earlier FIR had been lodged by the same complainant, indicating harassment and abuse of process. 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 opposed the submissions made by the learned counsel for the petitioner stating that the allegations leveled against the petitioner are serious and heinous in nature. Further, the investigation was not yet completed. Further, there is one other crime was registered against the petitioner. 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. Having considered the rival submissions, it is noted that the petitioner is also arrayed as an accused in Crime No.167 of 2024, which was registered for similar offences. The de facto complainant and the victim in both cases are the same. The record shows that the petitioner was earlier in judicial custody in connection with the said crime, and subsequent to his release, he is alleged to have committed a similar offence, according to the de facto complainant. However, the statement of the victim indicates that she desired to marry the petitioner. It is further stated that the petitioner's uncle handed her over to the police, clarifying that the marriage would be solemnized once her parents accord their consent. In view of the earlier allegations and the circumstances of the present case, this Court deems it appropriate to grant anticipatory bail to the petitioner, subject to the following conditions.:

- i. The petitioner shall surrender before the Station House Officer, Lalaguda Police Station within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on him executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for the like sum each.
- ii. The petitioner 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 shall abide by the other conditions stipulated in Section 482(2) of BNSS and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date : 02.12.2025
PT

K. SUJANA, J

THE HON'BLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.15096 OF 2025

DATE :02.12.2025

PT