

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16057 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner who is arrayed as accused in Crime No.1546 of 2024 of Petbasheerabad Police Station, Cyberabad.

2. The brief facts of the case are that the accused has sexually assaulted the victim under the pretext of providing job to her by taking money from her. Hence, the case was registered vide Crime No.1546 of 2024, for the offences punishable under Sections 376(1), 406, 420, 323, 504, 506 of IPC.

3. Heard Sri T.S.Anirudh Reddy, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that the petitioner

had a consensual relationship with the petitioner for the purpose of extorting the petitioner. He *thirdly* submitted that though the alleged incident of forceful sexual intercourse took place on 31.05.2024, the complaint was filed on 04.12.2024 without stating reasons for filing FIR with the inordinate delay. He *lastly* submitted that the petitioner is resident of Kothapet, Hyderabad District, with movable and immovable properties, and is willing to furnish sureties as directed and prayed the Court to grant of anticipatory 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 allegation leveled against the petitioner is serious in nature and the investigation is not yet completed and therefore, granting anticipatory bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, it apparent that there is a inordinate delay of 8 months in filing FIR. It is pertinent to note that material part of investigation 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 petitioner.

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

- i. The petitioner shall surrender before the Station House Officer of P.S.Petbasheerabad 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.
- i. The petitioner shall cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required as the charge sheet is filed before the concerned Court.
- ii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 02.01.2025

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