

THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15968 OF 2025

18.12.2025

Between :

Mohd. Fayazuddin

... Petitioner/Accused

And

The State of Telangana,
Rep., by Public Prosecutor,
High Court of Judicature, Hyderabad& another
... Respondent

ORDER

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner/Accused seeking anticipatory bail in connection with Crime No.2324 of 2025 of Gachibowli Police Station, Cyberabad. The offences alleged against the petitioner are under Sections 69 and 89 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The facts of the case are that de facto complainant lodged a complaint on 11.10.2024 at Gachibowli Police Station, stating

that petitioner and herself worked in the same office, and during that time he proposed marriage, promising to take care of all religious obligations. After some time, she accepted his proposal. A few days later, he asked for a physical relationship; though she initially refused, he convinced her. They met at OYO, where he secretly recorded her private video without her consent and blackmailed her into continuing physical relations multiple times at Collection O Sahara, Kondapur, on 10.12.2024, 21.12.2024, 20.02.2025, 20.06.2025, and 07.07.2025. During these meetings, he allegedly assaulted her, and after the meeting on 20.02.2025, she became pregnant. When she told him she was not ready to abort, he again promised marriage and convinced her to undergo abortion. Having no other go she went to Vaidya Poly Clinic, Madhapur, for the procedure, while he only accompanied her for the initial scan at Sprint Diagnostics, Gachibowli, on 22.03.2025. After the abortion, when she asked about marriage, he told her that women in his family did not work and that he would marry her only if she resigns. Hoping to marry him, she resigned from Cognizant. But in the second week of September 2025, she came to know that petitioner was marrying another woman of his religion on 12.10.2025. Based on these allegations, the police registered the case.

3. Heard Sri Abdul Azam Khan, learned counsel for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that petitioner is falsely implicated in this case. Though the alleged incident occurred on different dates in the year 2024 and 2025, the complainant gave complaint on 11.10.2025 that too a day before the marriage of petitioner which shows the malicious intention of the complainant. There is huge delay in giving complaint and no explanation is given for the said delay. He further submitted that when the complainant herself went alone to the hospital for terminating her pregnancy, the essential ingredients of Section 89 of BNS are not attracted against the petitioner. Only after coming to know of the marriage of petitioner, this complaint is filed only to defame and prevent the marriage of petitioner. The police without conducting proper investigation falsely implicated the petitioner in this case. Entire investigation is completed except filing of charge sheet, as such, custodial interrogation of the petitioner is not required in this case. The petitioner is in jail from 11.10.2025. Hence, prayed this Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the offence committed by the petitioner is heinous in nature. On the promise of marriage, petitioner physically exploited the complainant. Hence, petitioner is not entitled for bail and prayed to dismiss this criminal petition.

6. Considering the submissions made and a perusal of the material available on record, the averments in the complaint itself shows that the complainant herself went to the hospital and underwent abortion and the petitioner is not present at that time. Therefore, Section 89 of BNS is not applicable to the present case. The other allegation is that under the promise of marriage petitioner herein exploited the de facto complainant whereas, the petitioner and de facto complainant are in relationship from 2024 and there is delay in lodging the complaint before police. The alleged abortion is in the month of February, 2025 and report is filed in the month of October, 2025. Considering the same, custodial interrogation of the petitioner is not required in this case. Hence, this Court deems it fit to grant bail to the petitioner subject to the following conditions :

- i. The petitioner/Accused shall surrender before the Station House Officer,

Gachbowli Police Station, Cyberabad within two weeks from today, and on such surrender, the said Station House Officer shall release petitioner/Accused on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for the like sum each.

- ii. The petitioner/Accused 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/Accused 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 applications, if any pending, shall stand closed.

Date: 18.12.2025

Rds

K. SUJANA, J

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