

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.487 of 2026

DATE: 23.01.2026

BETWEEN:

Maloth Mahesh

... Petitioner/Accused

And

The State of Telangana,
Through its Public Prosecutor,
High Court of Telangan, Hyderabad.
(Through Station House Officer, Karepalli PS,
Khammam District)

... Respondent

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 arrayed as accused in Crime No.9 of 2026 before the Karepalli Police Station, Khammam District, registered for the offences punishable under Sections 318(4), 296(b), 69 and 351(2) of BNS.

2. The brief facts of the case are that, on 14.01.2026, the *de-facto* complainant lodged a report with the police stating that the petitioner, under the promise of marriage, had physically exploited her for four years following the demise of her husband. She further alleged that, under the guise of love and marriage, the petitioner continued this exploitation, but when she asked him to marry her, he refused. The petitioner abused her in filthy language and threatened her with dire consequences, including threats to kill her, as such requested the police to take necessary action, and based on her complaint, a case was registered for the alleged offence

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

4. The contention of the learned counsel for the petitioner is that the petitioner is innocent of the allegations and has been falsely implicated in the case and that the relationship between the petitioner and the *de-facto* complainant was consensual, and therefore, the offence under Section 69 of the BNS is not attracted. He further relied upon the judgment of the Hon'ble Apex Court in **Ankit Hukumchand Malviya Vs.**

State of Maharashtra, through Police Station Officer and Anr.¹, wherein it was held that custodial interrogation of the petitioner is not required for the offence punishable under Section 69 of the BNS. Hence, prayed this Court to grant bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, contending that the allegations against the petitioner are heinous in nature and the investigation is still in progress. However, he informed the Court that statements under Section 183 of the BNSS have been recorded.

6. In light of the submissions made by both the learned counsel and upon a perusal of the material available on record, it is evident from the complaint filed by the *de facto* complainant that the parties were in a relationship for the last four years. It is also noted that the complainant is a married woman with a child aged six years, while the petitioner is an unmarried person. Considering the nature of the allegations, the stage of investigation, and the fact that prosecution

¹ 2025 SCC OnLine Bom 734

witnesses LWs.1 to 6 have been examined and statements under Section 183 BNSS have been recorded, custodial interrogation of the petitioner does not appear necessary at this stage. In view of the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioner-accused, subject to the following conditions:

- i. The petitioner-accused shall surrender before the Station House Officer, Karepalli Police Station, Khammam District within two weeks from today, and on such surrender, the petitioner shall be released on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner-accused 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-accused shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., or till the filing of the charge sheet, whichever is earlier, 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: 23.01.2026
SS

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