

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.551 of 2026

DATE: 29.01.2026

BETWEEN:

Shaik Yakub Pasha

.... Petitioner/accused No.1

AND

The State of Telangana,
Through SHO, Palwancha Town Police Station,
Rep. by its Public Prosecutor,
High Court at Hyderabad and another

.... Respondents

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 is arrayed as accused No.1 in Crime No.462 of 2025 of Palwancha Town Police Station, Bhadradi Kothagudem District, registered for the offences punishable under

Sections 69, 296, 115(2), 351(2), r/w 3(5) of the BNS and Sections 3(1)(r)(s), 3(2)(Va) of the SC/ST POA Act, 2015.

2. The case of the prosecution is that, on 08.12.2025, the de-facto complainant lodged a report before the police stating that in the year 2015 and was blessed with two daughters. Due to ongoing disputes between them, in 2023, both of them, in the presence of elders, wrote a separation document and have since been living separately. In the year 2024, she was deceived by the petitioner, who claimed to be divorced and promised to marry her and take care of her and her children. Trusting him, she began living with him in a rented house at and he took her gold ornaments of 4.6 Tulas and Rs.2,50,000/-, saying it was for business. On 24-11-2025, he returned home drunk, verbally abused her, assaulted her, refused to return her gold and money, admitted he only used her for financial benefit, and insulted her in the name of caste and he family members also came to her house, abused her, assaulted her, and threatened to kill her if she approached him again. Hence, she requested

for necessary action. Basing on the said complainant, the police registered a case for the above said offences.

3. Heard Sri Ramulu Pasupula, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor for respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner herein is innocent of the said allegations and there is no such promise of marriage by the petitioner herein and in fact, the de-facto complainant is not a divorcee and her 1st husband is still there, therefore, Section 69 of the BNS is not applicable to this case and the petitioner herein has lodged a complainant before the police on 04.01.2026 stating that the de-facto complainant is blackmailing him and demanding amount to settled the matter and this itself shows that the case registered against the petitioner is a false case. It is further submitted that the petitioner is ready to cooperate with the investigation.

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 learned counsel for petitioner stating that the allegations against the petitioner herein are serious in nature and SC/ST case is also registered against the petitioner herein. It is further submitted that, in view of the severity of the allegations and nature of the offences, the petitioner is not entitled for the anticipatory bail and prayed the Court to dismiss the Criminal Petition.

6. In the light of the submissions made by both the learned counsel and on a perusal of the material available on record, the complaint is lodged before the police on 08.12.2025 and in the above said allegations, wherein it shows that there is no such legal divorce between the de-facto complainant and her 1st husband and the earlier marriage is still subsisting, therefore, Section 69 of the BNS *prima facie* is not applicable to the present case.

Considering the facts and circumstances of the case and also that the relationship between the parties from the year 2023 is a consensual relationship, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Palwancha Town Police Station, Bhadradi Kothagudem District, 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.
- ii. The petitioner 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 shall appear before
the concerned Investigating Officer
on every Monday between 09:00 a.m,
and 05:00 p.m., for a period of 8
weeks 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: 29.01.2026
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