

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4324 of 2026

DATE: 02.04.2026

BETWEEN:

Mothe Mahesh

.....petitioner/accused

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court for the State of Telangana
at Hyderabad.

.....Respondent/complainant

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.2 in
Crime No.250 of 2026 before the Raidurgam Police Station,

Cyberabad, registered for the offences punishable under Sections 69 of BNS.

2. The brief facts of the case are that the de facto complainant, on 03.03.2026, lodged a complaint before the police stating that she had married one Zakir in the year 2017, and they subsequently separated in January 2026 in the presence of elders. It is further stated that about one and a half years prior to the complaint, the accused was introduced to her at a wedding ceremony in her native village, Devarakonda. After her separation from her husband, the accused expressed his liking towards her and promised to marry her. Believing the said promise, the accused allegedly had physical relations with the complainant on several occasions. It is further alleged that when the complainant insisted that the accused marry her, he refused and also assaulted her, causing injuries. The de facto complainant approached the police and lodged the present complaint, pursuant to which a case was registered under the above section, and the petitioner was arrayed as an accused.

3. Heard Sri Mahes Mamindla, learned counsel appearing on behalf of the petitioner as well as Sri M.Ramachandra Reddy,

learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the alleged offences and has been falsely implicated in the present case. He contended that the allegations made against the petitioner are unsustainable, as the de facto complainant was already married and has children, and the relationship between the petitioner and the complainant was purely consensual. He further submitted that no promise of marriage was ever made by the petitioner, and therefore, the essential ingredients to constitute an offence under Section 69 of the BNS are not attracted. Therefore, he prayed that this Court grant pre-arrest 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 offences alleged are grave and heinous in nature. Therefore, he prayed that this Court may be pleased to dismiss the Criminal Petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it

appears that she took divorce from her husband before the elders. There is no such record showing that authority connected with the petitioner as there is substituting marriage. There is no question of other marriage. Considering the allegations against the petitioner and also considering the relationship between the petitioner and de facto complainant, 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, Raidurgam Police Station, Cyberabad, 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/-, each 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 eight (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: 02.04.2026
SPD

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