

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD

THE HONOURABLE SMT. JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION No.7949 of 2026

Date: 21.05.2026

Between:

Mr.Sowrabh Tiwari @ Sowrab Kumar Tiwari

..Petitioner/Accused No.1

And

The State of Telangana,
Rep. By its Public Prosecutor,
High Court at Hyderabad.

..Respondent

ORDER:

The petitioner-accused No.1 filed the present application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to grant regular bail to him in Crime No.292 of 2026 of Raidurgam Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 67, 69, 81, 351(3), 115(2), 118(1), 77 of BNS.

2. Heard Mr.Veera Savan Chakravarthy Dara, learned counsel for the petitioner and Mr.A.Ravinder Reddy, learned Assistant Public Prosecutor appearing for the respondent-State.

3. The accusation against the petitioner/accused No.1 by the complainant who is the major is that she was married to one Sathyender Kumar, but due to disturbances, they were separated and the complainant's parents arranged a marriage proposal with the petitioner/Accused No.1 and thereafter marriage was performed

between them and later on coming to know that the complainant is already married and there was no divorce, the petitioner filed a divorce petition and the same was also granted to the complainant and the petitioner. It is alleged that thereafter, the petitioner and his family members have engaged her to participate in family functions, religious rituals etc., and on false premise of re-marriage, the petitioner continued to establish physical relationship with her and that the petitioner is now refusing to marry her. Alleging the same, the complaint was given on 16.03.2026. It is submitted that it is not known as to whether the complainant's marriage with the first husband is also dissolved or not and it is submitted that all the accusations of the complainant are false and fabricated. It is submitted that other accused has been issued with notice under Section 35(3) of BNS.

4. On the other hand, learned Assistant Public Prosecutor vehemently opposed for grant of bail.

5. In the light of the submissions made by both the learned counsel and on a perusal of the material on record, it appears that the complainant is a major and she was married earlier to another person and without obtaining divorce, was married to the petitioner / Accused No.1 and the said marriage was dissolved and the complainant seems to have established physical relationship with the petitioner. All the circumstances lead to a conclusion that it was a consensual relationship and the provisions under which the FIR has

been registered may not be applicable. In view thereof, the petitioner is granted regular bail subject to the following conditions:

- (i) The petitioner shall execute a personal bond for Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties for a like sum each to the satisfaction of the XIII Additional Judicial Magistrate of First Class, Ranga Reddy District, Cyberabad at Rajendranagar.
- (ii) The petitioner shall abide by the other conditions stipulated in Section 480(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

6. Accordingly, this Criminal Petition is allowed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

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Mrm/aqs

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