IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.15536 of 2026

(CNR.No. HBHC010651222026)

DATE: 01.10.2026

BETWEEN:

Madhugani Mahesh @ Mahesh.

.....Petitioner-Accused

And

The State of Telangana,
Through SHO, P.S., Alwal, Malkajgiri District,
Rep. by its Public Prosecutor,
High Court, Hyderabad.

.....Respondent-Complainant

ORDER

1. This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') praying this Court to enlarge the petitioner on bail who is arrayed as accused in connection with FIR No.832 of 2026 of Alwal Police Station, Malkajgiri District, registered for the offence punishable under Sections 69 of the BNS, Sections 3(1)(r)(s), 3(2)(va) of the SC/ST (POA) Act.

2. Heard Sri Mohammad Afsar, learned counsel for the petitioner-accused and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent–State.

3. Learned counsel for the petitioner submits that petitioner-accused marriage was proposed with another woman, the *de facto* complainant having coming to know about the same has confronted with the petitioner-accused on 15.07.2026 following which a quarrel ensued and the complaint came to be lodged on 24.08.2026 i.e., more than a month after the alleged quarrel and about two years after the relationship. Section 69 of the BNS contemplates sexual intercourse obtained by deceitful means, including a false promise of marriage. Relationship between the parties is of long duration and consensual, an inference of an inherently false promise cannot ordinarily be drawn merely because the relationship subsequently did not culminate into marriage. Entire investigation is completed, *de facto* complainant is ready to settle the matter with the petitioner-accused and she also gave affidavit to that effect and prayed to enlarge the petitioner-accused on bail.

4. Learned Additional Public Prosecutor submits that prosecution has made application under Section 183 of the BNSS to record the statement of the victim on 29.09.2026 and the same is still pending.

5. *De facto* complainant has lodged a report before P.S., Alwal on 24.08.2026. It is stated in the complaint that she came in contact with the accused through instagram and he expressed his love, promised to marry her and threatened to die if she did not love him and they had physical relationship at Hotel O Vaishnavi, OYO, Secunderabad during 3rd week of September, 2024 and thereafter continued their meetings at her house in the absence of her family members. Accused got engaged to another woman and their marriage was fixed on 04.09.2026 and after coming to know the same, complainant has called the accused on 15.07.2026 and questioned him, whereupon he allegedly abused her by referring to her caste name. Basing on the said complaint, FIR came to be registered.

6. Petitioner-accused is arrested on 02.09.2026 at 2000 hours and was produced before the concerned Magistrate on 03.09.2026 for remand, since then he is in judicial custody.

7. Remand case diary goes to show that the *de facto* complainant was in relationship with the petitioner-accused since 3rd week of September 2024 which continued till the accused got engaged.

8. This Court is conscious of the fact that statement of the victim is not yet recorded as on date, an application came to be filed by the prosecution which is pending consideration.

9. Petitioner-accused has enclosed affidavit of the *de facto* complainant, wherein it is stated that she has amicably settled the matter with the petitioner-accused. Even otherwise, the remand case diary goes to show that respondent has altogether examined 14 witnesses in support of the case. Entire investigation is completed detaining the petitioner-accused further in judicial custody will not serve the purpose. Hence, petitioner-accused is entitled for bail, subject to the following conditions:

i. The petitioner-accused shall execute a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties for a like sum each to the satisfaction of the concerned Court.

ii. The petitioner-accused shall appear before the concerned SHO between 10 a.m. to 5 p.m., on every Sunday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

iii. The petitioner-accused shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

iv. The petitioner-accused shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

v. It is made clear that if any of the above conditions are violated, the prosecution is

at liberty to file an application for cancellation of the bail.

10. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

_____

B.R.MADHUSUDHAN RAO, J

Date: 01.10.2026
pss

THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.15536 of 2026

(CNR.No. HBHC010651222026)

DATE: 01.10.2026

pss