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

**THE HONOURABLE SRI JUSTICE N.TUKARAMJI**

**CRIMINAL PETITION No.15586 OF 2026**

**(CNR No. HBHC010655032026)**

**DATE: 05.10.2026**

**Between :**

Vellanki Suresh.

**... Petitioner**

AND

The State of Telangana and another.

**... Respondents**

**ORDER:**

This Criminal Petition is filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita, 2023* (for short, 'BNSS'), seeking the relief of pre-arrest bail.

2. The petitioner is arrayed as the accused No.1 in Crime No.289 of 2026 on the file of the Allapur Police Station, Cyberabad Commissionerate, facing accusations under Sections 69, 316(2), 318(4), 351(2) read with 3(5) of the *Bharatiya Nyaya Sanhita, 2023* (for short 'BNS').

3. Heard Mr. Nawaz Hyder Ali, learned Counsel for the petitioner, and Mr.Syed Yasar Mamoon, learned Assistant Public Prosecutor, representing the respondent-State.

4.1. The prosecution case, in brief, is that the de facto complainant/respondent No.2, a software employee, became acquainted with the petitioner in the year 2022, and their acquaintance subsequently developed into a friendship. Thereafter, the petitioner is alleged to have proposed to her and assured her that he would marry her, pursuant to which he developed sexual relationship with her and also obtained approximately Rs.30 lakhs from her.

4.2. The de facto complainant further alleged that, during the course of their relationship, she conceived twice. On the first occasion, the petitioner, allegedly with the support and assistance of his family members, caused the pregnancy to be terminated. On the second occasion, the petitioner is alleged to have forcibly administered certain tablets to her, resulting in termination of the pregnancy and consequent health complications.

4.3. It is further alleged that, after the termination of the second pregnancy, the de facto complainant and the petitioner informed their respective family members about their relationship. While the de facto complainant's mother is stated to have accepted the proposal for their marriage, the petitioner's mother allegedly rejected the proposal. The de facto complainant thereafter made efforts to persuade the petitioner's family to agree to the marriage, but those efforts allegedly proved futile. Subsequently, the petitioner married another woman on 08.05.2026.

4.4. Where after, the de facto complainant approached the police. Pursuant thereto, the police summoned the petitioner, who appeared along with his mother, brother and sister-in-law. The police at Madhapur allegedly instructed the petitioner to approach the concerned police station. On 14.06.2026, when the de facto complainant went to the Allapur Police Station, the petitioner and his family members allegedly threatened and intimidated her and compelled her to sign a pre-drafted settlement document against her will. On the basis of the aforesaid allegations, the present crime came to be registered.

5.1. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the crime on allegations of harassment, humiliation and damage to reputation. He further submits that, even according to the complaint, the relationship between the petitioner and the de facto complainant commenced in or around the year 2021 and that both were consenting adults and working professionals. According to the learned counsel, the relationship was consensual in nature and the mere fact that it did not ultimately culminate in marriage cannot, by itself, lead to the conclusion that the petitioner's promise of marriage was false at its inception.

5.2. It is further submitted that the falsity of the promise of marriage at the inception of the relationship is a necessary ingredient for attracting an offence under Section 69 of the BNS. Learned counsel submits that it

is now well settled that a consensual relationship which subsequently turns sour, or fails to culminate in marriage, cannot by itself constitute a sufficient basis for initiating or sustaining criminal prosecution on the allegation of a false promise of marriage. In support of the said contention, reliance is placed upon the judgment of the Hon'ble Supreme Court in *Prasanth v. State (NCT of Delhi)*, 2024 INSC 879.

5.3. Learned counsel further submits that the allegation that the petitioner received an amount of approximately Rs.30 lakhs from the de facto complainant is wholly without basis. He points out that the de facto complainant had voluntarily entered into a settlement and executed a document of understanding. He further submits that the bank records disclose remittances of approximately Rs.10 lakhs made through banking channels in May 2026. According to the learned counsel, the alleged physical relationship and the monetary transactions between the parties, in the circumstances of the case, do not by themselves constitute the offences of cheating or criminal breach of trust.

5.4. The petitioner further contends that the allegations relating to the termination of the pregnancies are matters capable of independent verification from the relevant hospital and medical records. It is therefore submitted that the custodial interrogation of the petitioner is neither warranted nor necessary for the purpose of investigation. Learned counsel submits that the petitioner is ready and willing to cooperate with

the investigation and to abide by any conditions that may be imposed by the Court. On the aforesaid grounds, learned counsel for the petitioner prays that the petitioner be granted anticipatory bail.

6.1. Learned Additional Public Prosecutor opposed the petition and submitted that the de facto complainant, in her report, has categorically attributed specific acts to the petitioner and his family members concerning her alleged sexual and financial exploitation. It is further submitted that the de facto complainant has made specific allegations regarding the termination of her pregnancies on two occasions and has alleged the involvement of the petitioner and his family members in the said incidents.

6.2. According to the learned Additional Public Prosecutor, the aforesaid allegations require a detailed and comprehensive investigation, including verification of the circumstances surrounding the termination of the pregnancies and the alleged role of the petitioner and his family members. It is therefore submitted that the presence of the petitioner may be necessary for the effective conduct of the investigation and that, at this stage, his custodial interrogation cannot be ruled out. On these grounds, the learned Additional Public Prosecutor prayed for dismissal of the petition.

7. I have carefully considered the rival submissions and perused the materials on record.

8. The specific allegation against the petitioner is that, by representing that he would marry the de facto complainant, he induced her to enter into and continue a physical relationship with him and thereby sexually and financially exploited her. The petitioner disputes the same and contends that the relationship was consensual, that the promise of marriage was genuine at its inception, and that the allegations of sexual and financial exploitation are baseless. The allegation regarding termination of pregnancy, insofar as it concerns the petitioner's role, is capable of independent verification from medical and hospital records and other material collected during investigation.

9. At the stage of considering an application for anticipatory bail, the Court is not required to meticulously appreciate the evidence or conclusively adjudicate disputed questions of fact. The exercise is confined to a prima facie assessment for determining whether pre-arrest protection is warranted. As held by the Constitution Bench in *Sushila Aggarwal v. State (NCT of Delhi)*, (2020) 5 SCC 1, the Court must consider, inter alia, the nature and gravity of the offence, the role attributed to the accused and the facts and circumstances of the case, and may impose appropriate conditions to secure his cooperation with the investigation and availability for the judicial process.

10. The questions as to whether the petitioner had falsely promised marriage from the inception, whether such representation was deceptive and affected the complainant's consent, whether the allegations satisfy the ingredients of Section 69 of the BNS, whether the alleged settlement was voluntary, whether the petitioner received any amount from the complainant and, if so, for what purpose, and the circumstances surrounding the termination of the alleged pregnancies, including the role of the petitioner and his family members, require investigation and verification through oral, documentary, electronic, banking and medical material. These disputed questions cannot be conclusively determined at this stage.

11. In the present case, the relationship between the parties admittedly continued for a considerable period, commencing in or around 2022. Both parties are adults and are stated to be educated and working professionals. While these circumstances are relevant at the interlocutory stage, they do not, by themselves, establish that the relationship was consensual or that the petitioner's promise of marriage was genuine from inception. Likewise, the mere failure of the relationship to culminate in marriage does not, by itself, establish that the promise was false from the outset; that question must be determined on the basis of the evidence collected during investigation. The material concerning the nature of the relationship, monetary transactions, alleged settlement and termination

of pregnancy appears capable of substantial verification through documentary, banking, medical and other corroborative evidence. The petitioner has undertaken to cooperate with the investigation, and there is, at this stage, no convincing material demonstrating that his custodial interrogation is indispensable.

12. Having regard to the totality of the circumstances, the nature of the material requiring investigation, the petitioner's undertaking to cooperate, and the absence of convincing grounds necessitating custodial interrogation, this Court is of the considered view that the petitioner has made out a case for grant of anticipatory bail. However, having regard to the seriousness of the allegations, the relief shall be subject to appropriate conditions to secure the petitioner's presence, ensure his cooperation with the investigation, and prevent interference with the investigation or judicial process.

13. Accordingly, this Criminal Petition is allowed, subject to following conditions.

(A) The petitioner/accused shall surrender before the Station House Officer, Allapur Police Station, Cyberabad Commissionerate, on or before 21.10.2026. Upon such surrender or in the event of arrest the Station House Officer shall release him on bail on execution of a personal bond

for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction of the said officer.

(B) The petitioner shall appear before the Investigating officer on every Tuesday and Wednesday between 10.00AM to 03.00PM, for a period of twelve (12) weeks from the date of his release on bail or until the filing of the final result, whichever is earlier.

(C) The petitioner shall remain available for investigation as and when required by the Investigating Officer and shall cooperate fully with the investigation.

(D) The petitioner shall furnish his complete residential address and contact details to the Investigating Officer and shall keep the same updated throughout the course of investigation.

(E) The petitioner shall not either directly or indirectly induce, threaten, influence, or contact any prosecution witness, nor shall he tamper with the prosecution evidence in any manner whatsoever.

(F) The petitioner shall strictly comply with all the conditions contemplated under Section 482(2) of the BNSS.

(G) Any wilful breach or violation of any of the aforesaid conditions shall render the petitioner liable to appropriate proceedings before the

court below, including cancellation of bail, in accordance with the provisions of the BNSS and other applicable law.

14. It is made clear that any observations made herein are confined solely to the adjudication of the present application for anticipatory bail and shall not be construed as an expression on the merits of the case. Miscellaneous applications, if any pending, shall stand closed.

**N.TUKARAMJI, J**

Date: 05.10.2026
mmr

**THE HONOURABLE SRI JUSTICE N.TUKARAMJI**

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