IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.16772 OF 2026

(CNR No. HBHC010078832026)

DATE: 26.10.2026

Between :

Vikram.

… Petitioner/Accused No.1.

AND

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

… Respondent.

ORDER:

This petition is filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita*, 2023 (for short, "BNSS"), seeking the relief of anticipatory bail.

2. The petitioner is arrayed as Accused No.1 in FIR No.1147 of 2026 on the file of KPHB police station, Cyberabad District for the

offences punishable under Sections 69 and 89 of the *Bharatiya Nyaya Sanhita*, 2023 (for short, "BNS").

3. Heard Ms. B. Shalini Saxena, learned counsel for the petitioner and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor, appearing for the respondent-State.

4. Briefly stated, the case of the prosecution is that the de facto complainant came to Hyderabad in 2023 to pursue her studies. In September 2024, she became acquainted with the petitioner, who is employed as a software professional. It is alleged that the petitioner subsequently developed a relationship with her on the promise of marriage and established a physical relationship with her. During the course of their relationship, when the de facto complainant became pregnant, the petitioner allegedly took her to a hospital and caused the termination of her pregnancy against her will. It is further alleged that, even thereafter, the petitioner continued his relationship with her while simultaneously involving himself with another woman. Subsequently, a proposal for marriage was placed before the families, and although the de facto complainant's family members agreed to the proposal, the petitioner's family allegedly demanded dowry as a condition for the marriage. In this backdrop, on 09.09.2026, when the de facto complainant approached the petitioner and questioned him about his refusal to marry her, he allegedly assaulted her and drove her out of

his house. Based on the report lodged by the de facto complainant, the present crime came to be registered.

5.1. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is contended that, even according to the averments in the complaint, the petitioner and the de facto complainant had been acquainted for a considerable period and that both are adults who were aware of the consequences of their relationship. On that basis, it is argued that the allegation that the petitioner sexually exploited the de facto complainant on the promise of marriage is not sustainable merely because the relationship did not culminate in marriage. Learned counsel further submits that the allegation concerning the termination of pregnancy must be considered in the context of the subsequent course of the relationship between the parties, including the fact that the de facto complainant continued the relationship thereafter. It is also contended that the allegation of a dowry demand by the petitioner's family indicates that the marriage proposal had been taken up at the family level and, therefore, does not, by itself, establish that the petitioner had a deceptive intention from the inception of the relationship.

5.2. Learned counsel further draws attention to the alleged delay of approximately seven months in lodging the complaint after the termination of pregnancy, contending that the delay remains

unexplained and giving adverse inference to that of the allegation. According to the petitioner, the circumstances, taken together, indicate that the physical relationship was consensual and that there was no misrepresentation of fact or coercion on the petitioner's part. It is further submitted that the petitioner is willing to cooperate with the investigation and abide by any conditions that may be imposed by the Court. On these grounds, learned counsel prays that the petitioner be granted anticipatory bail.

6 Learned Additional Public Prosecutor opposes the petition, contending that the complaint contains specific allegations against the petitioner, who is the sole accused in the case. It is submitted that the allegations of establishing a physical relationship on the promise of marriage, terminating the pregnancy against the will of the de facto complainant, and physically assaulting her are serious in nature and require a thorough investigation. The learned Additional Public Prosecutor further submits that the investigation is at a nascent stage and that the material collected thus far prima facie discloses a case against the petitioner. It is apprehended that granting pre-arrest protection at this stage may impede the investigation, affect the petitioner's cooperation with the investigating agency, and create a risk of the petitioner threatening or influencing the de facto complainant. It is also contended that the petitioner's custodial interrogation may be

necessary for the effective investigation of the case. On these grounds, the learned Additional Public Prosecutor prays for dismissal of the petition for anticipatory bail.

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

8. The gravamen of the allegations against the petitioner is that he became acquainted with the de facto complainant in September 2024 and, on the promise of marriage, established a physical relationship with her. It is further alleged that, when the de facto complainant became pregnant as a consequence of their relationship, the petitioner took her to Urban Hospital, Nizamabad, and caused the termination of her pregnancy against her will. The petitioner disputes the allegations and seeks the protection of anticipatory bail.

9. At the outset, it is necessary to observe that, at the stage of considering an application for anticipatory bail, this Court is not required to undertake a detailed examination of the evidence or record definitive findings on the disputed questions of fact. Any conclusive determination regarding the nature of the relationship between the parties, the circumstances in which the physical relationship was established, the alleged misconception of fact, or the circumstances

surrounding the termination of pregnancy would be premature at this stage and may prejudice the investigation or subsequent proceedings.

10. The principles governing the grant of anticipatory bail have been elucidated by the Hon'ble Supreme Court in *Siddharam Satlingappa Mhetre v. State of Maharashtra*, (2011) 1 SCC 694, wherein the Court emphasised that the discretion to grant or refuse anticipatory bail must be exercised judiciously, having regard to the facts and circumstances of each case. The relevant considerations include the nature and gravity of the accusation, the specific role attributed to the accused, the likelihood of the accused fleeing from justice, the possibility of interference with the investigation or intimidation of witnesses, and the necessity of custodial interrogation. The Court further underscored the need to strike a balance between protecting individual liberty and ensuring a fair, effective, and unhindered investigation.

11. In the present case, the circumstances in which the relationship commenced and continued, the nature of the alleged promise of marriage, and the intention of the petitioner at the inception of the relationship are matters requiring examination in the course of investigation. In particular, whether the alleged promise of marriage was accompanied by a deceptive intention from the inception, whether the consent of the de facto complainant to the physical relationship was vitiated by a misconception of fact in the circumstances contemplated

by law, and whether the pregnancy was terminated without her consent are disputed matters that cannot be conclusively determined at this interlocutory stage. The allegations, including those concerning the termination of pregnancy and the subsequent conduct attributed to the petitioner, undoubtedly warrant appropriate investigation.

12. Having regard to the chronology of the relationship as presented before this Court, the complainant's averment that a marriage proposal was made but was refused by the petitioner's family, the submissions advanced on behalf of the petitioner regarding his willingness to cooperate with the investigation, and the material presently available on record, this Court is not persuaded that the indispensability of the petitioner's custodial interrogation for the purposes of the investigation has been established. Accordingly, without expressing any opinion on the merits of the allegations or the rival contentions, and leaving all disputed questions of fact open for determination on the basis of the evidence collected during the investigation and, if necessary, at trial, this Court is of the considered view that the petitioner may be extended the benefit of anticipatory bail, subject to conditions to secure his presence, ensure his cooperation with the investigating agency, and prevent any attempt to threaten, influence, or otherwise interfere with the de facto complainant or any other witness.

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

a) Petitioner/Accused No.1 shall surrender before the Station House Officer, KPHB police station, Cyberabad District on or before 07.11.2026. Upon such surrender, or in the event of their arrest, the Station House Officer shall release him on bail upon executing 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 Station House Officer every Tuesday and Saturday between 10:00 a.m. and 3:00 p.m. for a period of Twelve (12) weeks from the date of his release on bail and shall cooperate with the investigation in all respects.

c) The petitioner shall furnish his complete residential address and contact details to the Investigating Officer and shall keep the same updated throughout the proceedings before the trial court.

d) Additionally, the petitioner shall remain available as and when required by the investigating officer during the course of investigation.

e) The petitioner shall neither directly nor indirectly induce, threaten, influence, nor contact the de facto complainant or any prosecution witness, nor shall they tamper with the prosecution evidence in any manner whatsoever.

f) In the event of breach of any of the aforesaid conditions by the petitioner, the prosecution shall be at liberty to take appropriate steps seeking cancellation of bail.

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.

Pending miscellaneous applications, if any, shall stand closed.

Date: 26.10.2026

N.TUKARAMJI, J

MRKR

THE HON'BLE SRI JUSTICE N. TUKARAMJI

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