IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.17189 OF 2026

(CNR No. HBHC010722172026)

DATE: 28.10.2026

Between :

Vasu Sai Krishna

… Petitioner

AND

The State of Telangana

… Respondent

ORDER:

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

2. The petitioner is arrayed as the accused No.1 in Crime No.277 of 2026 on the file of Hanamkonda Police Station, Warangal District, facing accusations under Sections 69, 351(2) read with 3(5) of *Bharatiya Nyaya Sanhita, 2023* (for short 'BNS'), Sections 3(1)(r)(s), 3(2)(v) of *Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act*, 2015.

3. Heard Mr. M.Ajay Kumar, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor, representing the respondent-State.

4. The prosecution case, in brief, is that the petitioner developed an acquaintance with the de facto complainant by following her and, on the promise of marriage, established a sexual relationship with her, which allegedly continued for about two years. In December 2025, when the de facto complainant became pregnant, the petitioner is alleged to have taken her to a hospital and arranged for the termination of her pregnancy. Subsequently, he allegedly avoided her requests to marry her. On 10.06.2026, the petitioner is alleged to have taken the de facto complainant to the first floor of his house and had sexual intercourse with her. He is further alleged to have abused her by referring to her caste, stating that he would not marry her as she belonged to the Scheduled Caste (SC) community, and threatened her with dire consequences if she approached him. It is also alleged that the petitioner called his paternal uncle and other relatives, who threatened the de facto complainant. Based on the report lodged by the de facto complainant, the present crime was registered.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He contends that the de facto complainant is a married woman and has an eight-year-old child, and

therefore, the allegation that the petitioner sexually exploited the de facto complainant on the promise of marriage is without a reasonable basis. Learned counsel further points out that there has been a considerable delay in lodging the complaint, notwithstanding the allegation that the relationship continued for approximately two years. He also submits that the alleged caste-based abuse took place in the house of the petitioner, as such the allegations under the SC &ST(POA) Act, prima facie cannot be sustained. How so ever, the petitioner is ready and willing to cooperate with the investigation and abide by any conditions that may be imposed by this Court. On these grounds, learned counsel seeks the grant of anticipatory bail to the petitioner.

6. Per contra, learned Additional Public Prosecutor opposes the petition, contending that specific allegations have been made against the petitioner, including the allegation that he sexually exploited the de facto complainant on the promise of marriage. He further submits that the investigation is still in progress and that the custodial interrogation of the petitioner may be required for the effective investigation of the case. It is also contended that the veracity of the allegations and the explanation, if any, for the delay in lodging the complaint are matters to be considered at the appropriate stage of the proceedings. The learned Additional Public Prosecutor further submits that the alleged caste-based abuse, considered

in isolation, cannot constitute a ground for granting anticipatory bail. Having regard to the totality of the circumstances, the learned Additional Public Prosecutor accordingly prays for the dismissal of the petition.

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

8. The allegations against the petitioner are that he established a physical relationship with the de facto complainant on the promise of marriage, subsequently refused to marry her by referring to her caste, and threatened her with dire consequences. These allegations are undoubtedly serious. However, at the stage of considering the present petition, this Court is not required to undertake a meticulous examination of the evidence or record conclusive findings on disputed questions of fact. The allegations against the petitioner and the defence raised by him must be examined in detail during the course of investigation and, if necessary, at trial.

9. The petitioner has specifically contended that the de facto complainant is a married woman with an eight-year-old child, a circumstance that is not disputed by the prosecution. While this circumstance, by itself, cannot be regarded as conclusive in determining the allegations concerning the promise of marriage, it is a relevant factor to

be considered along with the other circumstances placed before this Court. It has also been brought to the notice of this Court that the alleged relationship continued for approximately two years and that there was a delay in lodging the complaint. The significance of the delay, as well as the circumstances in which the relationship commenced and continued, requires appropriate examination during the course of investigation. At this stage, this Court refrains from expressing any opinion on the veracity of either version.

10. Another significant consideration is whether custodial interrogation of the petitioner is indispensable for an effective investigation. The learned Additional Public Prosecutor has opposed the petition primarily on the ground that the investigation is pending and that the petitioner's custodial interrogation may be required. The petitioner, however, has expressed his readiness and willingness to cooperate with the investigation and to abide by any conditions imposed by this Court. In the absence of any specific material presently placed before this Court to indicate that the petitioner is likely to abscond, tamper with evidence, or intimidate the de facto complainant or other witnesses, this Court is of the view that the interests of the investigation can be adequately safeguarded by imposing appropriate conditions.

11. The aforesaid view is consistent with the principles laid down by the Hon'ble Supreme Court in *Arnesh Kumar v. State of Bihar*, (2014) 8 SCC 273, wherein the Court emphasised that arrest should not be made mechanically and that the necessity for arrest must be assessed in accordance with law. At the same time, since the allegations include caste-based abuse, the applicability of Sections 18 and 18A of the SC &ST (POA) Act, which restrict the grant of anticipatory bail in cases under the Act, requires consideration. In *Prathvi Raj Chauhan v. Union of India*, (2020) 4 SCC 727, the Hon'ble Supreme Court held that the statutory bar on anticipatory bail does not apply where the complaint fails to disclose a prima facie offence under the said Act. Accordingly, upon consideration of the allegations and the material presently available on record, this Court is inclined to grant anticipatory bail to the petitioner, subject to appropriate conditions to ensure his cooperation with the investigating agency.

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

(A) The petitioner/accused No.1 shall surrender before the Station House Officer, Hanamkonda Police Station, Warangal District, on or before 12.11.2026. 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 between 10.00AM to 03.00PM, for a period of eight (08) 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 willful 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.

13. 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: 28.10.2026
CHS

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

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