IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.18274 OF 2026

(CNR No. HBHC010764532026)

DATE: 16.11.2026

Between :

Kambala Satish Kumar

… Petitioner

AND

The State of Telangana and Another

… Respondents

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.1575 of 2026 on the file of Madhapur Police Station, Cyberabad, facing accusations under Sections 69, 351(2), read with 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

3. Heard Mr.V.Vijay Shankar, learned counsel for the petitioner and Mr.E.Ganesh, learned Assistant Public Prosecutor, representing the respondent No.1-State.

4. The prosecution case, in brief, is that petitioner No.1 became acquainted with the de facto complainant through an online matrimonial application. During the course of their acquaintance and subsequent relationship, petitioner No.1 allegedly developed physical intimacy with the de facto complainant on the promise of marriage. It is further alleged that, in the course of their relationship, he took her to various places and sexually exploited her. When the de facto complainant became pregnant as a result of the relationship, petitioner No.1 allegedly advised her to terminate the pregnancy by providing her with medication, while assuring her that he would marry her thereafter. However, towards the end of the year 2025, the de facto complainant came to know that petitioner No.1 was already married. When she confronted him in that regard, he allegedly assaulted her, damaged her mobile phone and deleted certain evidence. It is also alleged that the mother and wife of petitioner No.1 threatened and assaulted the de facto complainant. Based on the aforesaid allegations, the present crime came to be registered.

5.1. Learned counsel appearing for the petitioner submits that the allegations levelled against the petitioner are false, baseless and devoid of merit, and that the petitioner is innocent of the offences alleged against him. He points out that the petitioner had earlier lodged a report against another person in the year 2022, thereafter the de facto complainant

lodged the present complaint against the petitioner. According to learned counsel, the circumstances surrounding the lodging of the complaint are relevant to demonstrate the nature of the de facto complaiant. He further submits that, as per the contents of the complaint, the de facto complainant has not furnished specific particulars regarding the places or other circumstances in which the alleged incidents of sexual intimacy took place. He also contends that, insofar as the alleged occurrences in the year 2023 are concerned, the invocation of the provisions of the Bharatiya Nyaya Sanhita, 2023 (BNS), is legally impermissible.

5.2. Learned counsel for the petitioner further submits that a consensual relationship between two consenting adults, which ultimately does not culminate in marriage, would not, by itself, constitute an offence under Section 69 of the BNS. In this regard, he contends that, for the offence under the said provision to be attracted, the promise of marriage must have been false and made with a deceptive intention from the very inception of the relationship, and that a subsequent failure to fulfil such a promise would not, by itself, attract criminal liability. He further submits that, even with regard to the alleged incident said to have occurred towards the end of the year 2025, the complaint came to be lodged only in the year 2026, and no satisfactory or plausible explanation has been furnished for the delay in approaching the police. He contends that the allegations concerning the

communications between the parties, pregnancy-related medical treatment, other documents and electronic communications are all matters capable of being verified and collected during the course of investigation. In such circumstances, the custodial interrogation of the petitioner is neither necessary nor warranted. He further submits that the petitioner is a permanent resident, is ready and willing to cooperate with the investigating agency and undertakes to abide by any conditions that may be imposed by this Court while granting anticipatory bail. On the aforesaid grounds, learned counsel seeks enlargement of the petitioner on anticipatory bail.

6. Per contra, learned Assistant Public Prosecutor vehemently opposes the petition, contending that the complaint contains specific and serious allegations against the petitioner. It is submitted that, though the acquaintance between the petitioner and the de facto complainant commenced in the year 2022, their relationship continued until the year 2025. The learned Assistant Public Prosecutor specifically points out that the de facto complainant came to know about the subsisting marriage of the petitioner in the year 2025 and, upon questioning him in that regard, the petitioner allegedly took her in a car, assaulted her and damaged her mobile phone. It is further submitted that the de facto complainant has also alleged that the petitioner obtained a sum of approximately Rs.6 lakhs from her. In addition, the complaint contains allegations regarding the

involvement of the petitioner's wife and another person in threatening and assaulting the de facto complainant. He submits that the allegations are specific in nature and require a detailed investigation to ascertain the circumstances surrounding the relationship, the alleged financial transactions, the pregnancy-related events and the subsequent acts of assault and destruction of evidence. It is further contended that the petitioner is the principal accused and is presently unavailable to the investigating agency, thereby necessitating his custodial interrogation for the purpose of an effective and comprehensive investigation. On these grounds, the learned Assistant Public Prosecutor seeks dismissal of the anticipatory bail petition.

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

8. As per the version of the de facto complainant, she became acquainted with the petitioner in the year 2022 and, on the promise of marriage, the petitioner allegedly developed physical intimacy with her, which eventually resulted in her pregnancy. It is further alleged that, at the instance of the petitioner, the pregnancy was terminated. The de facto complainant has also alleged that the petitioner financially exploited her. Towards the end of the year 2025, she came to know that the petitioner

was already married and, when she questioned him in that regard, he allegedly refused to marry her and assaulted her.

9. It is a settled principle of law that, while considering an application for anticipatory bail, the Court is not ordinarily required to undertake a meticulous examination of the allegations or the defence put forth by the accused, nor is it expected to record definitive findings on disputed questions of fact. At this stage, the Court is required to undertake a prima facie assessment of the nature and gravity of the allegations, the circumstances of the case, the likelihood of the accused making himself available for investigation and the judicial process, and, more particularly, the necessity for custodial interrogation. The discretion to grant anticipatory bail must be exercised judiciously, having regard to the facts and circumstances of each case.

10. In *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565, the Constitution Bench of the Hon'ble Supreme Court held that the power to grant anticipatory bail is discretionary in nature and must be exercised judicially, keeping in view the facts and circumstances of each individual case, without imposing rigid or inflexible limitations on the exercise of such discretion. Further, in *Sushila Aggarwal v. State (NCT of Delhi)*, (2020) 5 SCC 1, the Constitution Bench reiterated that anticipatory bail need not invariably be restricted to a fixed period and that the Court may impose

appropriate conditions, having regard to the facts and circumstances of the particular case.

11. In the instant case, though the allegations levelled against the petitioner are undoubtedly serious in nature, certain relevant circumstances also require consideration. The parties are adults, and the allegations arise out of a relationship which, according to the de facto complainant herself, continued over a period of time. The subsequent discovery of the petitioner's marriage, the alleged refusal to marry her and the incident of assault are stated to have occurred towards the end of the year 2025, whereas the complaint came to be lodged thereafter in the year 2026. The circumstances relating to the duration of the relationship, the sequence of events leading to the lodging of the complaint and the petitioner's willingness to cooperate with the investigation are relevant considerations at this stage.

12. This Court is also conscious that the allegations require investigation and that the investigating agency must be afforded sufficient liberty to proceed with the investigation in accordance with law. Accordingly, keeping open all questions of fact and law for consideration at the appropriate stage, this Court considers it just and appropriate to grant anticipatory bail to the petitioner, subject to such conditions as may be necessary to secure his availability for investigation, ensure his cooperation with the

investigating agency and prevent any attempt to tamper with the evidence or influence the witnesses.

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

(A) The petitioner/accused No.1 shall surrender before the Station House Officer, Madhapur Police Station, Cyberabad, on or before 01.12.2026. 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 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 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.

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: 16.11.2026
CHS

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