

[3327]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
FRIDAY, THE THIRTY FIRST DAY OF JANUARY

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 671 OF 2025



Between:

Ghanto Jithin, S/o. Ghanto Ramesh Aged 27 years, Occ: Private service, R/o. Door No. 45-1-1/3 (6), Bhargavi Enclave, M.T.C. Palem, Akkayya Palme, Vishakapatnam Dist.

Petitioner/1st Accused

AND

The State of Andhra Pradesh, Rep. by Public Prosecutor, High Court for the State of Andhra Pradesh, Amaravathi.

Respondent/Respondent

Petition under Sections 482 of BNSS (old 438 of Cr.P.C), praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to grant anticipatory bail to the Petitioner in the event of his arrest in connection with crime bearing FIR No. 636/2024, Dt. 27/11/2024 on the file of Gajuwaka Police Station against the Petitioner herein for the offenses under 376 (2) n, 509, 506 r/w 34 IPC, 3 (1)(r), 3(1)(s), 3(2)(v) SC ST POA ACT on such terms and conditions as may be deemed fit and proper in the circumstances of the case.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri A TULSI RAJ GOKUL, Advocate for the Petitioner and of PUBLIC PROSECUTOR for the Respondent and the Court made the following:

ORDER:-

This Criminal Petition, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'the BNSS') has been filed on behalf of the petitioner/accused No.1 to grant anticipatory bail in connection with Crime No.636 of 2024 of Gajuwaka Police Station, Visakhapatnam Commissionerate.

2. A case has been registered against the petitioner herein/accused No.1 and others for the offences punishable under Sections 376 (n), 509, 506 read with 34 of the Indian Penal Code, 1860 (for brevity 'IPC') and Sections 3 (1) (r), 3 (1) (s), 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for brevity 'the SC and ST Act').

3. Brief facts of the case of prosecution are that, the *de facto* complainant is working in SBI Credit Cards; that she got acquaintance with the petitioner/accused No.1 through Instagram and later, they both moved closely; that taking advantage of her loneliness, on 16.04.2024, petitioner/accused No.1 was alleged to have sexual intercourse forcibly with her and dropped her at Tuni; that the petitioner/accused No.1 was alleged to have committed sexual intercourse with the *de facto* complainant subsequently too on the pretext of marrying her; that when the *de facto* complainant asked the petitioner/accused No.1 about marriage, he was alleged

to have abused that she belonged to SC community and refused to marry her and threatened her with dire consequences. Basing on the report presented by the *de facto* complainant on 27.11.2024, police registered a case in Crime No.636 of 2024 and investigated into.

4. Heard both sides. Perused the record.

5. Learned counsel for the petitioner/accused No.1 would contend that the *de facto* complainant, earlier, displayed her photograph in "Happn: a Dating APP" and she is in the habit of getting in touch with men and thereafter, blackmail them for monies. Learned counsel further contends that earlier, one person, who was similarly harassed by the *de facto* complainant, committed suicide an year ago. Thereafter, in the month of March, 2024, the *de facto* complainant got in touch with the petitioner/accused No.1 through Instagram APP and thereafter, there was exchange of messages between them and subsequently, on discrete inquiries, the petitioner/accused No.1 learnt that the *de facto* complainant used to blackmail the persons, to extract monies.

6. A perusal of material on record *prima facie* goes to show that earlier the *de facto* complainant made a complaint as against the petitioner/accused No.1, but the police refused to take

the report knowing the attitude of the *de facto* complainant. Thereafter, the *de facto* complainant resorted in giving report to Gajuwaka PS on 02.09.2024. Because of the settlement arrived between the petitioner and the *de facto* complainant, the petitioner/accused No.1 paid an amount of Rs.4,00,000/- for withdrawal of the report lodged by her earlier in Gajuwaka PS prior to 14.11.2024.

7. A perusal of the screenshots filed by the learned counsel for the petitioner/accused No.1 *prima facie* goes to show that the *de facto* complainant was taking certain sum from the petitioner/accused No.1. Subsequent to receipt of amount from the petitioner/accused No.1, she again filed the present report on 27.11.2024 before the Gajuwaka PS against the petitioner/accused No.1 with aforesaid allegations, to extract more money. There is any amount of ambiguity with regard to accusation made against the petitioner/accused No.1. Thereafter, this Court is inclined to grant anticipatory bail to the petitioner/accused No.1, on certain conditions.

8. Accordingly, in the event of the arrest of petitioner/accused No.1 in the above crime, he shall be released on bail on his executing personal bond for a sum of Rs.10,000/- (Rupees ten thousand) with two sureties each for the like sum to the satisfaction

of the arresting police officials. Further, the petitioner/accused No.1 shall appear before the Station House Officer, concerned once in a week i.e. on every Saturday in between 10.00 a.m. and 2.00 p.m. till filing of the charge sheet and further, the petitioner/accused No.1 shall make himself available for investigation as and when required and that he shall not cause any threat, inducement or promise to the prosecution witnesses.

9. Accordingly, the Criminal Petition is allowed.

Sd/- N. NAGAMMA
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The S.H.O., Gajuwaka Police Station, Visakhapatnam
2. One CC to SRI. A TULSI RAJ GOKUL Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of AP [OUT]
4. One spare copy

Kj

HIGH COURT

SRK,J

DATED:31/01/2025

BAIL ORDER

CRLP.No.671 of 2025

ALLOWED

