

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE SEVENTEENTH DAY OF MARCH,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 2498 OF 2025



Between:

1. Balaraju Surendraraju, S/o Balaraju Samba Siva Raju, age . 32 years, R/o D. No. 1/37, Rajupalem, Eetamatpuram Village, Penaguluru, Kadapa District. (A-1)
2. Balaraju Venkatalakshamma, W/o Balaraju Samba Siva Raju, age. 52 years, R/o D. No. 1/37, Rajupalem, Eetamatpuram Village, Penaguluru, Kadapa District.(A-2)
3. Saginala Lalitha, W/o Saginala Venkata Nasaraju, age. 40 years, R/o Appaiahrajupet, Pullapeta Village, Kadapa District.(A-3)

...Petitioner/Accused

AND

The State of Andhra Pradesh, Rep by its Public Prosecutor High Court of A P
Amaravathi

...Respondent/Complainant

Petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (438 of Cr.P.C), praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to direct release of the petitioners/accused No. 1 to 3 on bail in the event of their Arrest in connection with Crime No 16 of 2025 dated 17.02.2025 of Penagalur Police Station Annamayya District.

Counsel for the Petitioners : M/s Pillix Law Firm

Counsel for the Respondent : Assistant Public Prosecutor.

The Court made the following ORDER:



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3396]

MONDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 2498/2025

Between:

Balaraju Surendraraju and Others

...PETITIONER/ACCUSED(S)

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. PILLIX LAW FIRM

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following Order:

The Criminal Petition, under Section 482 of the BNSS, is filed on behalf of the petitioners herein/A1 to A3 to grant anticipatory bail in connection with Crime No.16 of 2025 of Penagalur Police Station, Annamayya District, registered for the offences punishable under Sections 9 and 10 of the Prohibition of Child Marriage Act, 2006 and Section 64 read with Section 3(5) of the BNS and Sections 4, 6 and 16 of the Protection of Children from Sexual Offences Act, 2012.

2. Brief facts of the case are that this is a case of child marriage, wherein the accused was married a minor girl who is aged about 16 years with the help of his family members. After knowing the same, the PB Visalakshi ICDS Supervisor, Penagalur Mandal came to the Police Station and presented a complaint.

3. Heard learned counsel for the petitioners and the learned Assistant Public Prosecutor representing the respondent/State. Perused the material on record.

4. Learned counsel for the petitioners would submit that basing on the complaint made by the third party to the ICDS supervisor, the present

false case is lodged against the petitioners herein. Learned counsel for the petitioners would further submit that as per the birth certificate of the victim, she is aged about 18 years old by the date of the marriage and in fact she is carrying eight month pregnancy. Learned counsel for the petitioners would further submit that the marriage is also registered and hence, he prays to grant anticipatory bail to the petitioners herein.

5. On the other hand, learned Assistant Public Prosecutor would submit that as per the tenth class certificate of the victim, she is a minor as on the date of marriage. Learned Assistant Public Prosecutor would further submit that investigation is needs to be done relating to the genuineness of the date of birth certificate of the victim. Learned Assistant Public Prosecutor would further submit that as many as six witnesses were examined in this crime and the statement of the victim was recorded under Section 164 Cr.P.C.

6. Considering the submissions made and on perusal of the material on record, it is seen that Section 164 Cr.P.C. statement recorded by the learned Magistrate, the victim stated that she is crossed eighteen years at the time of marriage.

7. In view of the aforesaid facts and circumstances of the case and in addition to that the victim is carrying eight month pregnancy and the presence of petitioners herein who are none other than the husband, mother and mother-in-law of the victim is required to take care of her and hence, this Court is inclined to grant anticipatory bail to the petitioners herein, on the following conditions.

- i. in the event of their arrest with regard to this crime, petitioners herein shall be released on bail on their executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) each with two sureties for the like sum each, to the satisfaction of the arresting police officials, and also on condition that the petitioners shall make themselves available for investigation as and

when required and that they shall not cause any threat, inducement or promise to the prosecution witnesses.

8. Accordingly, the Criminal Petition is **allowed**.

As a sequel thereto, the miscellaneous applications, if any, pending in this Criminal Petition shall stand closed.

SD/-SK MD RAFI
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

For

- To,
1. The Station House Officer, Penagalur Police Station, Annamayya District.
 2. One CC to M/s Pillix Law Firm [OPUC]
 3. Two CCs to Public Prosecutor (AP) High Court of Andhra Pradesh [OUT]
 4. **One spare copy**

CVSS

HIGH COURT

Dr.VJP,J

DATED:17/03/2025

BAIL ORDER

CRLP.No.2498 of 2025

ALLOWED

