

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14074 of 2025

ORDER:

Seeking the Court to enlarge the petitioner-accused in Crime No.358 of 2025 of Falaknuma Police Station, Hyderabad, on bail, the present petition is filed.

2 . The brief facts of the case are that, on 09.09.2025, the *de-facto* complainant lodged a report with the Police stating that she became acquainted with the petitioner in the year 2017. The petitioner, under the guise of marriage, sexually exploited the complainant, captured her photos and videos, and threatened to post them on social media. When she confronted him about this, he demanded Rs.10,00,000/- and threatened to publish her nude photos and videos online if the amount was not paid. Based on the complaint, the police registered a case for offences punishable under Sections 69, 308(3) and 318(4) of the Bharatiya Nyaya Sanhita (BNS), and Section 67-A of the Information Technology Act, 2008. Upon further investigation, Section 5(l) read with Section 6 of the POCSO Act was also added, as the complainant was a minor

at the time of the alleged incidents in 2017, during which she was in a relationship with the petitioner.

3. Heard Sri Khaja Arajuddin, learned counsel appearing for the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the allegations made against him and was arrested on 14.08.2025 and has remained in judicial custody since then and that the petitioner is aged about 21 years and was also a minor at the time of the alleged relationship between the parties, i.e., in the year 2017. Therefore, he contended that the provisions of the POCSO Act are not applicable to the present case and that a substantial portion of the investigation has already been completed. Hence, prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, contending that the allegations against the

petitioner are grave in nature and that the investigation is still ongoing. Therefore, prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon a perusal of the material available on record, it is evident that the petitioner has been in judicial custody since 14.08.2025. Though the petitioner is arrayed as an accused under the provisions of the POCSO Act, even admitting the prosecution's case, it appears that the petitioner was also a minor on the date of the alleged incident. As reflected in the remand case diary, prosecution witnesses LWs.1 to 15 have already been examined. Considering the overall facts and circumstances of the case, including the nature of the allegations, the stage of investigation, the duration of incarceration, this Court finds it appropriate to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned

XII Additional Sessions Judge at
Nampally, Hyderabad.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (4) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 11.11.2025
SS

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