

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT  
HYDERABAD**

**THE HONOURABLE SMT. JUSTICE K. SUJANA**

**CRIMINAL PETITION No.15463 of 2025**

**DATE: 02.12.2025**

**Between:**

Biradhar Rakesh @ Bheem

.... Petitioner/Accused

**AND**

The State of Telangana,  
Rep. by its Public Prosecutor,  
High Court Premises,  
Hyderabad – 500066 and another

.... Respondents

**ORDER**

This Criminal Petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner/accused seeking his enlargement on bail in Crime No.339 of 2025 of Nampally Police Station, Hyderabad City Commissionerate. The offences alleged against the petitioner are under Sections 137(2) and 64(2)(m) of BNS and Section 5(l) read with 6 of POCSO Act, 2012.

2. The brief facts of the case are that on 13.11.2025, the *de-facto* complainant, who is the aunt of the victim, lodged a report before the police stating that the victim is her adopted daughter and that on 12.11.2025, she, along with the victim, went to Pista House, Nampally to celebrate the 17<sup>th</sup> birthday of the victim. During the celebration, she received an urgent call and stepped outside for a while. Upon returning, she noticed that the victim was missing without informing her. Despite searching all possible places and surrounding areas, and contacting relatives and friends, she could not trace the victim. She also expressed suspicion against the petitioner in connection with the disappearance. Based on the said complaint, a case was initially registered for the offence punishable under Section 137(2) of BNS. Later, based on the statement of the victim that she was physically exploited by the petitioner, the section of law was altered to the aforementioned offences.

3. Heard Sri Baglekar Akash Kumar, learned counsel representing Sri Shaik Rafi, learned counsel for the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of the learned counsel for the petitioner is that the relationship between the petitioner and the *de-facto* complainant is consensual and that the petitioner is aged about 20 years, while the victim is aged about 17 years, and as per the statement of the victim, they are in a love affair. The petitioner cannot be prosecuted and convicted for the alleged offence, as the victim herself requested the petitioner to take her to a place of his choice. He further submitted that the petitioner has been in judicial custody since 22.11.2025 and that the material part of the investigation has already been completed. Therefore, he prayed the Court to grant bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by learned counsel for the petitioner, contending that the allegations against the petitioner are grave in nature, that the victim was a minor girl on the date of the incident, and that the investigation is still pending. Therefore, prayed the Court to dismiss the criminal petition.

6. Considering the submissions made by the respective counsel and the material available on record, it is noted that

the complainant and the victim went to a hotel to celebrate the birthday of the victim. As per the statement of the victim, she herself insisted that the petitioner come and take her out. Thereafter, the petitioner came to the hotel, picked up the victim, and took her to Tank Bund. The victim stated that she was in depression, and upon being asked by the petitioner, she explained that her aunt and uncle were not interested in her marriage with the petitioner. She further requested the petitioner to take her away somewhere, and accordingly, the petitioner took her to Shirdi. Considering the statement of the victim and the other material on record, this Court deems 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), with two sureties for a like sum each to the satisfaction of the learned XII Additional Chief Judicial Magistrate, Hyderabad at Nampally.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8)

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 petitions, if any, pending shall stand closed.

Date : 02.12.2025  
SS

---

**K. SUJANA, J**

**THE HON'BLE SMT. JUSTICE K. SUJANA**

**CRIMINAL PETITION No.15463 OF 2025**

**DATE : 02.12.2025**

SS