

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15939 of 2025

DATE: 18.12.2025

Between:

Syed Mujtaba Ali

.... Petitioner/accused

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad.

.... Respondent/Complainant

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused in Crime No.256 of 2025 of Hussaini Alam Police Station, Hyderabad District, registered for the offences punishable under Sections 3 and 4 of the POCSO Act, 2012

and Sections 66E, 67A of the ITA Act, 2008 and Sections 78(2), 351(3) of the BNS.

2. The case of the prosecution is that, on 26.11.2025, the de-facto complainant lodged a report before the police stating that she met with the petitioner herein in the year 2021 through Instagram and he is also her neighbor and they were in relationship since then and during which he forced her to participate in a physical relation and they were involved in the same. In October, 2025, she stopped communicating with the petitioner due to his physical harassment and from then he started showing her pictures to her friends and asked her to meet him physically and also threatening to kill her. Hence, she requested for necessary action. Basing on the said complainant, the police registered a case for the above said offences.

3. Heard Sri Mohd. Amjad Ali Ansari, learned counsel appearing on behalf of 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 said allegations and the offences punishable under Sections 3 and 4 of the POCSO Act are not applicable to the present case and the de-facto complainant is aged about 20 years. It is further submitted that there is no such kidnapping in the present case and there is no such averment in the complaint of the de-facto complainant that the petitioner has committed the offences punishable under Sections 3 and 4 of the POCSO Act and he is ready to cooperate with the investigating authority and prayed the Court to grant pre-arrest bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by learned counsel for petitioner stating that though there is no information with regard to the age of the victim, the allegations are serious in nature and under the guise of nude photos, the petitioner herein is threatening the de-facto complainant, therefore, he is not entitled for the anticipatory bail and prayed the Court to dismiss the Criminal Petition.

6. In the light of the submissions made by both the learned counsel and on a perusal of the material available on record, the offences punishable under Sections 3 and 4 of the POCSO Act are not applicable to the present case and the record also shows that the de-facto complainant is aged about 20 years and there is no such averment in the complaint of the de-facto complainant that the petitioner has committed the offences punishable under Sections 3 and 4 of the POCSO Act and the allegations against the petitioner are that he is threatening the de-facto complainant by showing her private photos. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Hussaini Alam Police Station, Hyderabad District, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/-, with two sureties, for the like sum each.

- ii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case and not to threaten the de-facto complainant.
- iii. The petitioner shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., for a period of 8 weeks or till the filing of the charge sheet, whichever is earlier, and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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