

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16683 of 2025

DATE: 24.12.2025

BETWEEN:

Mohammed Arif

.....petitioner/accused

And

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

.....Respondent/complainant

ORDER

This Criminal Petition is filed praying this Court to enlarge the petitioner on bail who is arrayed as accused in Crime No.2036 of 2025 before the Gachibowli Police Station,

Cyberabad Commissionerate, registered for the offence punishable under Sections 75(2), 78, 351(2), 115(1) of BNS, Section 7 read with 8 of POCSO Act and Sections 3(1)(r)(s) of SC/ST (POA) Act.

2. The brief facts of the case are that the case arose out of a complaint lodged on 18.09.2025 at Gachibowli Police Station by the maternal uncle of a minor girl, alleging that the petitioner had an illicit relationship with the victim's mother and that, on account of the said relationship, the petitioner allegedly misbehaved with the minor by touching her inappropriately and also abused the complainant's family using caste-based words.

3. Heard Baglekar Akash Kumar, 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 complaint was belated, based on a second-hand version and motivated by family disputes arising out of the alleged relationship and that the prosecution case rested only on

interested and related witnesses, with no independent corroboration, medical evidence or specific particulars of the alleged acts. He further submitted that the ingredients of the offences under the SC/ST (POA) Act and the POCSO Act were not *prima facie* made out, the alleged confession was inadmissible, the investigation was substantially completed. Therefore, he 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 the learned counsel for the petitioner stating that the allegations leveled against the petitioner are serious and heinous in nature. Further, the investigation was not yet completed. At this stage, granting of bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the petitioner is in jail since 11.10.2025. As seen from the record, the material part of

the investigation has been completed and L.Ws.1 to 8 witnesses have been examined. Considering the facts and circumstances of the case and the incarceration period of the petitioner, this Court deems it fit 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 X Additional Metropolitan Magistrate, Kukatpally, Prashanth Nagar, Cyberabad.
- 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 applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 24.12.2025
SAI

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.16683 of 2025

Date: 24.12.2025

SAI