

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.950 of 2026

DATE: 10.02.2026

Between:

Abdul Hameed

.... Petitioner/
Accused No.1

AND

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

.... Respondent/
Complainant

ORDER

This criminal petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/Accused No.1 seeking enlargement on bail in connection with Crime No.214 of 2025 of Shahalibanda Police Station, Hyderabad. The offences alleged against the petitioner are under Sections 65, 123, 143(4), 118(1), 351(2) of BNS and

Section 5 read with 6 of POCSO Act and Sections 3, 4 and 5 of Prevention of Immoral Trafficking Act, 1956.

2. The brief facts of the case are that, the *de-facto* complainant who is the mother of the victim lodged a report with the police on 16.11.2025 stating that she married Feroz Abdul Gaffar in 2001 and had four children. After his death in 2011, she married the petitioner in 2014, with whom she has one son. For the past two years, the petitioner has been pressuring her daughter to marry his friend Shafi-accused No.2. On 16.11.2025 at around 14:00 hours, the petitioner again insisted on the marriage. When the complainant and her daughter refused, he abused them and struck her forehead with a mirror, causing bleeding injuries, before fleeing. Her daughter then revealed that in 2023, when she was 15 years old, the petitioner gave her food laced with sleeping tablets, rendering her unconscious. She awoke without clothes, bleeding, and in pain. On the way to KAM Hospital, the petitioner admitted to sexually assaulting her and threatened to expose nude photos and videos if she disclosed the abuse. He continued to drug and sexually assault her repeatedly, along with his accused No.2, until October 2025. Following this disclosure, the complainant and her daughter approached the police and the victim was sent

to Osmania General Hospital for treatment. Based on her complaint, a case was registered for the alleged offences.

3. Heard Sri Mohd. Muzafer Ullah Khan, learned counsel for the petitioner and Sri M.A. Mujeeb, learned counsel for appearing on behalf of complainant and Sri M. Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner contended that the petitioner is innocent and has been falsely implicated by his wife due to marital disputes. The petitioner has been in judicial custody since 19.11.2025, and the crucial part of the investigation has already been completed. The charge sheet has been filed in SC POCSO No.54 of 2026. Therefore, further custody is unnecessary. He further submitted that the petitioner is willing to abide by any conditions imposed by the Court and cooperate with the trial. Hence, he prayed the Court to grant bail to the petitioner.

5. On the other hand, the learned counsel appearing on behalf of the complainant, vehemently opposed the submissions made by learned counsel for the petitioner, contending that the petitioner, being the stepfather of the victim, poses a serious

risk of threatening the victim and the *de-facto* complainant, and may manipulate evidence and witnesses. Therefore, prayed the Court to dismiss the petition.

6. Learned Additional Public Prosecutor also opposed the submissions made by learned counsel for the petitioner stating that the petitioner, as the stepfather of the victim, may threaten witnesses and the *de-facto* complainant. He further contended that the investigation is still ongoing and that releasing the petitioner at this stage may result in tampering with evidence and influencing witnesses. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by all the learned counsel and upon perusal of the material available on record, it is evident that the petitioner has been in judicial custody since 19.11.2025. The record shows that the investigation is complete and the charge sheet has been filed. There is, however, a serious threat to the *de-facto* complainant and the victim, as the petitioner is the second husband of the complainant and stepfather of the victim. Considering the overall facts and circumstances, the stage of the case, and the period of

incarceration, this Court finds it appropriate to grant bail to the petitioner–Accused No.1, 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 XVI Additional Chief Metropolitan Magistrate, Hyderabad.
- ii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).
- iii. The petitioner shall not enter the locality where the complainant and the victim reside.
- iv. The petitioner shall cooperate with the investigation and appear before the Investigating Officer whenever required.
- v. The petitioner shall not threaten, influence, or induce any prosecution witness.
- vi. In case of violation of any of the above conditions, the de-facto complainant or

the prosecution is at liberty to seek
cancellation of bail.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous petitions, if any, pending shall stand
closed.

Date: 10.02.2026
SS

K. SUJANA, J

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.950 OF 2026

DATE : 10.02.2026

SS