

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2455 of 2026

DATE: 02.03.2026

Between:

Muddam Mallesh

.... Petitioner/ Accused

AND

The State of Telangana,
Through SHO, Kaghaznagar-T, P.S.,
Rep. by its Public Prosecutor,
High Court at Hyderabad.

.... Respondent

ORDER

This Criminal Petition is filed before this Court for grant of bail to the Petitioner who is arrayed as accused in FIR No.28 of 2026 of Kaghaznagar-T Police Station, Kumram Bheem Asifabad District, registered for the offences punishable under Sections 64(2)(m) of the BNS Act, 2023 and Section 6 of the POCSO Act, 2012.

2. The case of the prosecution is that, on 22.01.2026, the de-facto complainant lodged a report before the police stating that

the petitioner herein acquainted with her mother and he used to call her mother and her mother gave phone to her daughter and she also spoke with him. In November 2025, the petitioner herein called her mother and told her mother that he would take her daughter to get the Aadhaar card updated and bring her back and believing him, her mother sent her daughter with him on his bike and he took her to a bank, left her outside, went inside, and came back and he then took her on his bike to a room he knew in the Petrol Pump area of the town and exploited her and on the other occasion also, he did the same act. As such, she informed the de-facto complainant and her mother lodged a complaint before the police. Basing on the said complaint, the police registered a case for the above said offences.

3. Heard Sri D. Pochaiah, learned counsel appearing on behalf of the petitioner as well as Sri M. Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner submitted that the de-facto stated that the victim was 19 years old on the date of lodging of the complaint and she herself stated that she was 19

years, therefore, Section 6 of the POCSO Act, 2012 is not applicable to this case and he is innocent of the said allegations and he is falsely implicated in the present case and he is suffering with medical ailments and the medical examination of the victim also stated that there is no such incident occurred and even though the de-facto complainant opposed the same in the trial Court and threatening the daughter and wife of the petitioner herein and they also reported the same to the concerned authorities and the material part of the investigation was already completed and further custodial interrogation of the petitioner is not required and prayed the Court to grant bail to him 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 they filed requisition for recording 183 statement and the allegations against the petitioner herein are serious in nature, as such, the petitioner is not entitled for the bail and prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it

appears that the petitioner herein is in jail since 24.01.2026 and even according to the prosecution case, the age of the victim on the date of incident was 18 years and 8 months, *prima facie*, the offence punishable under Section 6 of the POCSO Act, 2012 is not applicable to this case. As seen from the remand case diary, the prosecution witnesses, LWs 1 to 12 including the investigating authority have already been examined. Considering the facts and circumstances of the case, 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), with two sureties for a like sum each to the satisfaction of the learned Principal District and Sessions Judge, at Asifabad.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks 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.

Date: 02.03.2026
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K. SUJANA, J

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