

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2584 OF 2026

DATE : 06.03.2026

Between :

Kamatam Shekshavali

... Petitioner/Accused

And

The State of Telangana,
Rep., by its Public Prosecutor,
High Court for the State of Telangana at Hyderabad,
Through the SHO P.S.Saroornagar,
Rachakonda

... 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.1223 of 2025 of Saroornagar Police Station, Rachakonda. The offences alleged against the petitioner are under Sections 64 (2) (m) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and under Section 5 r/w.6 of POCSO Act.

2. The case of the prosecution is that on 03.12.2025 at about 00:30 hours, a complaint was received from LW-1, who stated that his daughter, aged 18 years and working as a

labourer, had left home on 02.12.2025 at around 09:30 AM saying she was going to work but did not return. She was not carrying a phone. When he went to her workplace at Janapriya Complex near Toddy Compound, he was informed that she had not come to work that day. He searched nearby areas and made inquiries with relatives and friends, but she was not found. He suspected that petitioner was responsible for his daughter's disappearance. As such requested the police for taking necessary action basing on which initially police registered a case under woman missing and thereafter after investigation, they came to know that petitioner took the daughter of complainant from Kurnool railway station, stayed at the railway station until 11.00 p.m., he convinced her again and they travelled back to Hyderabad by train that same night. On 03.12.2025 early morning they got down the train and left her near her house and he also stayed at Hyderabad hoping to meet her again. On 04.12.2025 the petitioner came to Chaitanyapuri Metro Station, to meet her, and while he was waiting the police apprehended him and he confessed all his actions. Basing on the same police registered the case against the petitioner for the above offences.

3. Heard Sri Nabi Rasool Baladur, learned Counsel appearing on behalf of the petitioner and Sri M.Ramachandra

Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. The contention of learned counsel for the petitioner is that petitioner is innocent of the said allegations and even according to the remand report there is no such offence committed by the petitioner to constitute Section 64 (2) (m) of BNS and the complainant himself stated that his daughter is aged about 18 years, as such offence under Section 5 r/w.6 of POCSO Act does not attract. The petitioner is in jail for the last three months and no charge sheet is filed as on today. Hence, he is entitled to mandatory bail and requested this Court to grant bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor opposed bail stating that the offence committed by the petitioner is serious in nature. However, he informed that charge sheet is not filed as on today and Lws.1 to 8 are examined. Hence, petitioner is not entitled to bail and prayed to dismiss this criminal petition.

6. Having regard to the submissions made by both counsel and the material on record, the petitioner is in jail from 04.12.2025 and as on today even after completion of 90 days charge sheet is not filed by the investigating authority.

Considering the period of incarceration of petitioner in jail this Court deems it fit to grant regular 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 Special Judicial Magistrate of First Class (Excise), Rangareddy District-cum-V Additional Judicial Magistrate of First Class-cum-V Additional Junior Civil Judge, Ranga Reddy District at L.B.Nagar.
- ii. The petitioner shall appear before the concerned SHO between 09.00 a.m and 05.00 p.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation or till filing of charge sheet whichever is earlier and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 483(2) of the BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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Rds

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