

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION Nos.2583 and 2585 of 2026

DATE: 03.03.2026

Crl.P.No.2583 of 2026

Between:

Syed Hamed

...Petitioner/Accused No.7

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad,
Through SHO, II Town Police Station,
Nizamabad, Nizamabad District.

.... Respondent/Complainant

Crl.P.No.2585 of 2026

Between:

Shaik Imran

...Petitioner/Accused No.1

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad,
Through SHO, II Town Police Station,
Nizamabad, Nizamabad District.

.... Respondent/Complainant

COMMON ORDER

These Criminal Petitions are filed before this Court for grant of bail to the Petitioners who are arrayed as accused Nos.1 and 7 in FIR No.193 of 2025 of Nizamabad II Town Police Station, Nizamabad District, registered for the offences punishable under Sections 78, 65(1) of the BNS, 5(I) r/w 6 of the POCSO Act, 2012, Sections 9, 10, 11 of the Prohibition of Child Marriage Act, 2006.

2. The case of the prosecution is that, on 08.12.2025, the CDPO lodged a report before the police stating that on receiving information from Govt. Hospital, Nizamabad that one minor girl having pregnancy, immediately the complainant along with team rushed and got the details of the minor girl and she studied 8th class and kept her in Sakhi centre, Nizamabad and further, on 06.07.2025, in the presence of her family members performed her marriage with the petitioner herein, who belongs to same colony and made Nikhanama in presence of Khazi at her home. Hence, the complainant requested to take necessary action. Basing on the said complaint, the police registered a case for the above said offences. Accused No.1 is the husband of the victim and Accused No.7 is the Khazi, who performed the marriage.

3. Heard Sri M. A. K. Mukheed, learned counsel appearing on behalf of the petitioners as well as Sri M. Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioners submitted that the age of the victim has been wrongly projected by the de facto complainant. It is contended that the victim was more than 16 years of age on the date of marriage and that the marriage was solemnized with the consent of both families. It is further submitted that the de-facto complainant had earlier lodged a complaint before the police, pursuant to which the petitioners were granted bail. Therefore, it is argued that the criminal proceedings against the family members are liable to be discharged. Therefore, he prayed the Court to grant bail to them by allowing these criminal petitions.

5. On the other hand, learned Additional Public Prosecutor submitted that notice is served to the victim and vehemently opposed the bail petition on the ground that the victim was aged about 13½ years and accused No.1 is alleged to be the husband of the victim was aged about 30 years and it is a child marriage and it is prohibited by the law and even

though they have performed the marriage, they are not entitled for the bail, in view of the age of the victim. Therefore, he prayed the Court to dismiss the criminal petitions.

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 petitioners herein are in jail since 03.02.2026. As seen from the remand case diary, the prosecution witnesses, LWs 1 to 14 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 petitioners, subject to the following conditions:

- i. The petitioners shall execute a personal bond for a sum of Rs.25,000/- each (Rupees Twenty Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned I Additional Judicial First Class Magistrate, at Nizamabad.

- ii. The petitioners 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 petitioners shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

7. Accordingly, both the Criminal petitions are allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 03.03.2026
TU

K. SUJANA, J

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION Nos.2583 and 2585 of 2026

DATE : 03.03.2026

TU