

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4561 of 2026

DATE: 06.04.2026

Between:

Polkam Rahul S/o Rajesh.

.... Petitioner/
Accused

AND

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

.... Respondent/
Complainant

O R D E R

This Criminal Petition is filed under Sections 480 & 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/Accused seeking to enlarge him on bail in connection with Crime No.31 of 2026 of Town II Police Station, Nizamabad District. The offences alleged against the petitioner are punishable under Sections 69 of the BNS and Section 3 (1)(r)(s), 3 (2)(v)(va) of the SCs/STs (POA) Amendment Act, 2015.

2. The case of the prosecution is that on 17.02.2026 the *de facto* complainant lodged a report before police wherein it is stated that her marriage was solemnized in the year

2023. Due to disputes between them, they are living separately. It is stated that about one year ago, she got acquaintance with the petitioner and it is turned into a love affair. It is stated that during said period, the petitioner committed sexual intercourse with her and several occasions and now he refused to marry her on the ground of her caste. Hence, she requested the police to take necessary action on the said complaint. Basing on the same, police registered a case against the petitioner for the aforesaid offences.

3. Heard Sri K.Shravan Kumar Patel, learned counsel for the petitioner/Accused and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor, appearing for the respondent-State.

4. The contention of learned counsel for the petitioner/Accused is that the petitioner is innocent of the offences alleged against him. Even according to the prosecution, as on the date of the acquaintance of the petitioner, the *de facto* complainant was already married, therefore, there is no question of marrying her again during subsistence of earlier does not arise. He further submits that material part of the investigation completed; that the

petitioner has been in judicial custody from 20.02.2026 and hence, he prays to grant bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed the same and submits that the offences alleged against the petitioner are grievous and heinous in nature and hence, he prays to dismiss the petition.

6. Considering the submissions made by both the learned counsel and upon perusal of the material on record, it is evident that the petitioner has been in judicial custody from 20.02.2026. As seen from the record, the allegation itself shows that as on the date of alleged offence, the *de facto* complainant is not legally divorced woman. Considering allegation against the petitioner and taking into consideration the period of incarceration of petitioner in jail and consideration of statements of L.Ws.1 to 10 were already examined, this Court deems it fit to grant bail to the petitioner/Accused subject to the following conditions:

- (i) The petitioner-accused shall execute personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the learned Ist Judicial Magistrate of First Class, Nizamabad.
- (ii) On such release, the petitioner-accused shall appear before the concerned SHO between 09:00

a.m., and 5:00 p.m., on every Wednesday 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-accused shall abide by the conditions stipulated in Section 437 (3) of Cr.P.C. (presently, Section 480 (3) of BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date: 06.04.2026
YVL

K. SUJANA, J