

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.5080 of 2026

DATE : 13.04.2026

Between:

Asif Uddin Khan.

...Petitioner/Accused No.1

AND

The State of Telangana

Rep. by its Public Prosecutor, High Court at Hyderabad.

...Respondent

ORDER:

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioner who is arrayed as accused No.1 in Crime No.32 of 2026 of Alampur Police Station, Jogulamba-Gadwal District, registered for the offences punishable under Sections 138, 126(2), 127(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 3 r/w Section 4 of POCSO Act.

2. The brief facts of the case are that, on 28.03.2026, the *de-facto* complainant lodged a report before the police stating that, the victim, a 20-year-old student from a poor family, alleged that the accused, Asifuddin Khan, had been harassing him mentally and sexually for the past three years and threatening to harm his family if he did not comply. In November 2024, the accused allegedly abducted him with the help of others in a vehicle, took him to a secluded area, and sexually assaulted him. Due to fear and threats, the victim did not report the incident earlier but has now approached the police seeking legal action. Based on the said complaint, the police registered a case against the petitioner for the aforementioned offences.

3. Heard Sri P. Animi Reddy, learned counsel appearing on behalf of the petitioner as well as Sri M. Ramachandra Reddy, learned Additional Public Prosecutor for respondent-State. Notice is duly served upon the victim, however none appeared on behalf of the victim.

4. Learned counsel for the petitioner submitted that the petitioner is falsely implicated in this case and there is an unexplained delay of 17 months in the registration of the crime. It is further submitted that, previously the petitioner herein filed a suit for civil damages as the victim and other persons posted some messages in the group about the petitioner and also filed a criminal case against the victim and other persons, to counter the same, the present crime is registered against the petitioner and it is a counter case filed by the victim at the instance of other persons. As the allegations on the face of record itself, is false, the petitioner is entitled for grant of anticipatory bail. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Addl. Public Prosecutor opposing the petition stating that the allegations against the petitioner herein are heinous and grievous in nature. Due to the threatening of the petitioner itself, the de-facto complainant did not approach the police and the delay of

17 months in registering the crime has occurred. Therefore, he prayed the Court to dismiss the 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 previously the petitioner herein filed a criminal case against the victim and other persons and also filed a suit for damages against the victim and recently the crime was registered with a delay of 17 months and there is no such statutory explanation for the delay caused in lodging the complaint. Considering the facts and circumstances of the case, the nature of the allegations, the stage of investigation, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to compliance of the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Alampur Police Station, Jogulamba-Gadwal District, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail, on

petitioner executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties, for the like sum each.

- ii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.
- iii. The petitioner shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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SRK

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