

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.8778 of 2026

DATE: 19.06.2026

BETWEEN:

K. Raj Kumar

.....petitioner/accused

And

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

.....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.448 of 2026 before the Malkajgiri Police Station,

Malkajgiri District, registered for the offence punishable under Sections 64(2)(f), 351(2) of BNS.

2. The brief facts of the case are that the de facto complainant, a first-year degree student, was residing with her sister during the period when her mother was hospitalized. During that time, the petitioner, who is the husband of the complainant's cousin sister, allegedly took the complainant to a hotel on 13.01.2026 on the pretext of taking her to a doctor. It is alleged that after taking her to a room in the hotel, the petitioner proposed to her and, upon her refusal, committed forcible sexual intercourse against her will and threatened her with dire consequences if she disclosed the incident. Subsequently, after the death by suicide of the petitioner's wife on 26.04.2026, the complainant disclosed the incident to her parents, leading to registration of Crime No.448 of 2026 on 01.06.2026 for the offences punishable under Sections 64(2)(f) and 351(2) of the BNS.

3. Heard Sri P. Rajesh, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the case and that the FIR was lodged after an unexplained delay of nearly five months from the date of the alleged incident, which casts serious doubt on the prosecution version. He further submits that the complaint came to be lodged only after the death by suicide of the petitioner's wife and that the allegations require careful scrutiny during trial and that there is no medical evidence or independent corroborative material, such as CCTV footage or scientific evidence, supporting the allegations. Therefore, he prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. Learned Additional Public Prosecutor opposed the bail application contending that the allegations against the petitioner are grave in nature and relate to the commission of sexual assault upon the victim and that the victim has specifically narrated the incident and attributed a direct role to the petitioner in the commission of the offence. He further submits that the delay in lodging the complaint and other factual aspects are matters to be considered during trial and do not, by themselves, discredit the prosecution case at the

stage of bail. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the petitioner is in jail since 02.06.2026. As seen from the record, the material part of the investigation has been completed and L.Ws.1 to 13 witnesses have been examined. Further, there is a delay in lodging the complaint. Considering the facts and circumstances of the case and the incarceration period of the petitioner, this Court deems it fit 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) each, with two sureties for a like sum each to the satisfaction of the Principal District and Sessions Judge, Malkajgiri, Medchal - Malkajgiri District.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week 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.

K. SUJANA, J

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SAI

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