IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.17506 of 2026

(CNR.No.HBHC010733082026)

DATE: 05.11.2026

Between:

1.Shaik Saleem @ Salim
2. Shaik Rasheed @ ShaikAbdul Rashidh
3. Sohel @ ShaikSohail
4. Shaik Idris

...Petitioners-A1 to A3 and A5

And

1.The State of Telangana

... Respondent No.1-State

2. Shaik Neha Bee

...Respondent No.2-Complainant

O R D E R

1. This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) praying this Court to enlarge the Petitioners-A1 to A3 and A5 on bail in connection with Crime No.447 of 2026 of Echoda Police Station, Adilabad District. The offences alleged against the petitioners-A1 to A3 and A5 are punishable under Sections 64 r/w 62, 109, 118(1), 115(2), 296(b) r/w 3(5) of BNS.

2. Heard Sri C. Kumar, learned counsel for petitioners, Sri D. Arun Kumar, learned Additional Public Prosecutor for respondent No.1- State and Sri K. Ajay Kumar, learned counsel appearing for respondent No.2-complainant.

3. Learned counsel for the petitioners submits that the petitioners-A1 to A3 and A5 are innocent and they are falsely implicated in the case. As a counterblast to their complaint which was registered before the same Police Station Echoda vide Crime No.448 of 2026. Though the complaint lodged by the petitioners-A1 to A3 and A5 is prior to the complaint lodged by R2, the complaint lodged by R2 came to be registered first. The allegations levelled against the petitioners-A1 to A3 and A5 are false, baseless and created for the purpose of the case. Petitioners-A1 to A3 and A5 were arrested and remanded to judicial custody on 11.09.2026, since then they are in jail. On careful reading of the complaint lodged by respondent No.2, she specifically alleges that A1 entered into her house in the absence of her family members with an intention to outrage her modesty and that she might apprehended that he might have commit rape for which absolutely there is no material. Petitioners-A1 to A3 and A5 are bread winners of their families and they filed bail applications before the learned District Court which came to be dismissed vide orders dated 25.09.2026 and 13.10.2026. Entire investigation is completed and prayed to enlarge the petitioners-A1 to A3 and A5 on bail.

4. Learned Additional Public Prosecutor submits that specific overt acts are attributed against the petitioners-A1 to A3 and A5 in the remand case diary.

5. Learned counsel for the respondent No.2 submits that petitioner No.1-A1 has criminal antecedents and he is a notorious criminal. Even otherwise the entire family is having criminal background and prayed to dismiss the petition.

6. Shaik Neha Bee has lodged a complaint before the Echoda Police Station on 10.09.2026. It is stated in the complaint that on the above said day when she was washing clothes in the bathroom at her house premises, meanwhile, A1 entered her house in the absence of her family members with an intention to outrage her modesty, he caught hold of her hand and threw her onto the floor with an intention to have physical relations with her, when she tried to escape from him, she apprehended that he might commit rape on her and raised loud cries for help, on hearing her cries, her husband Adeel immediately came into the house and her husband questioned Shaik Saleem as to why he was behaving in such a manner. Meanwhile, Saleem's relatives namely Shaik Rasheed, Sohel, Shaik Haneef and Shaik Idris intervened and questioned the complainant and her husband. The above said persons abused them in filthy language and assaulted them with their hands. Basing on the said complaint, FIR came to be registered.

7. Petitioners-A1 to A3 and A5 were arrested and remanded to judicial custody on 11.09.2026, since then they are in jail.

8. It is to be noted here that a complaint came to be filed before the same police station by the family members of the petitioners, basing on which Crime No.448 of 2026 is registered against LW.2, LW.3, LW.4 and others. LWs.2, 3 and 4 are shown as A1, A2 and A4 in the said crime which is registered for the offences under Sections 109, 296(b) r/w 190 of BNS. LWs.2, 3 and 4 along with others in Crime No.448 of 2026 were enlarged on bail by the learned Sessions Court on 03.11.2026.

9. Learned counsel for the respondent No.2 submits that A1 and his family members are notorious criminals. Remand case diary does not speak about the criminal antecedents of the petitioners-A1 to A3 and A5. In the present crime, the offences alleged against the petitioner No.1-A1 are under Sections 64 r/w 62, 109, 115(2), 296(b), 329(3) r/w 190 of BNS. The offences alleged against the petitioner Nos.2 to 4-A2, A3 and A5 with CCL are under Sections 109, 115(2), 296(b), 329(3) r/w 190 of BNS.

10. In so far as the Crime No.448 of 2026 is concerned, the offences are under Sections 109, 296(b) r/w 190 of BNS.

11. Respondent has altogether examined 11 witnesses in support of the case, furthermore LWs.2 to 4 who are arrayed as A1, A2 and A4 in the counter case filed by the family members of the petitioners-A1 to A3 and A5 were already enlarged on bail.

12. It is the apprehension of respondent No.2 counsel that if the petitioners-A1 to A3 and A5 are enlarged on bail there is a threat to the complainant and her family members. Case and counter cases are pending against each other before the same police station, this Court is of the view that if stringent conditions are imposed against the petitioners-A1 to A3 and A5 while enlarging them on bail will meet the ends of justice.

13. It appears from the record that major portion of the investigation is completed, furthermore, complainant is not examined by the doctor as on 11.09.2026. Hence, petitioners-A1 to A3 and A5 are entitled to be enlarged on bail subject to following conditions:

> i) The Petitioners-A1 to A3 and A5 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 learned Judicial First Class Magistrate, at Boath.
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> ii) The Petitioners-A1 to A3 and A5 shall appear before the concerned SHO between 10 a.m. to 5 p.m., on every Sunday, Tuesday and Thursday 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-A1 to A3 and A5 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

iv) The Petitioners-A1 to A3 and A5 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

v) The Petitioners-A1 to A3 and A5 shall not commit similar offence.

vi) In the event of violation of any of the above conditions, the prosecution is at liberty to file an application for cancellation of bail.

14. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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B.R.MADHUSUDHAN RAO, J

Date: 05.11.2026
Note: Issue C.C. by tomorrow.
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