IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.17697 of 2026

(CNR.No. HBHC010740672026)

DATED 29.10.2026

Between:

Mohammed Ehtesham Ahmed

..Petitioner-accused No.2

And

The State of Telangana,
Through P.S. Rajendranagar,
Rep. by its Public Prosecutor,
High Court at Hyderabad. ... Respondent-Complainant

O R D E R

1. This Memorandum of Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) praying this Court to enlarge the petitioner on bail who is arrayed as accused No.2 in connection with Crime No.966 of 2026 of Rajendranagar Police Station, Hyderabad District. The offences alleged against the petitioner are punishable under Sections 64(2)(m), 351(2) of BNS, Section 5(l) r/w 6 of POCSO Act, 2012 and Section 66-E of IT Act, 2000-2008.

2. Heard Sri Nabi Rasool Baladur, learned counsel for petitioner, and Sri D. Arun Kumar, learned Additional Public Prosecutor, appearing for respondent – State.

3. Learned counsel for the petitioner submits that the petitioner-A2 hails from a Middle class respectable family without any questionable antecedents whatsoever in nature. Petitioner-A2 is arrested and remanded to judicial custody on 22.08.2026, since then he is in jail, entire investigation is completed, furthermore A1 is enlarged on bail by the learned Sessions Court on 08.10.2026 vide Crl.M.P.No.953 of 2026. Petitioner-A2 has to appear for 3rd year B.Com V semester examination in Anwarul Uloom College at New Mallepally, Hyderabad and the semester examinations are scheduled from 28.10.2026 to 09.11.2026, prayed to enlarge the petitioner-A2 on bail.

4. Learned Additional Public Prosecutor submits that the role played by the petitioner is depicted in the remand case diary

5. The Station House Officer, Rajendranagar P.S., Hyderabad has filed written instructions dated 29.10.2026 wherein it is stated that the police has made repeated attempts to contact the complainant to her mobile phone, there has been no response from the complainant, thereby they have sent the information through

whatsapp which is received by the complainant and proof is filed to that effect.

6. Mother of the victim has lodged a report before P.S. Rajendranagar on 19.08.2026 stating that A1-Ayan gradually established contact with her daughter and sexually exploited, he took her to a hotel at Afzalgunj, Hyderabad, there he forced to have sexual acts and allegedly recorded the incident through Photographs or Video. Basing on the said Complaint, FIR came to be registered for the offences under different sections of BNS, POCSO and IT Acts.

7. Petitioner-A2 is arrested and remanded to judicial custody on 22.08.2026, since then he is in jail. Respondent has altogether examined 18 witnesses in support of the case. The age of the victim girl is 17 years as on the date of the alleged offence.

8. Petitioner-A2 has filed Crl.P.No.16640 of 2026 for grant of regular bail before this Court, the same came to be dismissed vide order dated 15.10.2026 with an observation that specific overt acts are attributed against the petitioner-A2 in the manner in which the incident has taken place.

9. The change of circumstances is that A1-Ayan Khan is enlarged on bail by the learned Sessions Court vide Crl.M.P.No.953 of 2026 in Crime No.966 of 2026 on 08.10.2026.

10. Since prime accused is enlarged on bail, detaining the petitioner-A2 further in judicial custody will not serve the purpose, furthermore petitioner-A2 has to appear for 3rd year B.Com V Semester examination from 28.10.2026 to 09.11.2026. Hence, petitioner-A2 is entitled to be enlarged on bail, subject to the following conditions:

i. The petitioner-A2 shall execute a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties for a like sum each to the satisfaction of the learned XI Additional Judicial Magistrate of First Class, at Rajendranagar, Ranga Reddy District.

ii. The petitioner-A2 shall appear before the concerned SHO between 10 a.m. to 5 p.m., on every Sunday 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-A2 shall abide by the conditions stipulated in Section 437(3) of

Cr.P.C.(presently, Section 480(3) of the BNSS).

iv. The petitioner-A2 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

v. It is made clear that if any of the conditions imposed by this Court are violated, the prosecution is at liberty to file an application for cancellation of the bail.

11. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

B.R.MADHUSUDHAN RAO, J

Date: 29.10.2026
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