IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.17830 of 2026

(CNR.No. HBHC010743672026)

DATED 06.11.2026

Between:
Voora Rajesh Kumar ..Petitioner-accused

And

The State of Telangana,
Through SHO, Saroornagar Police Station,
Malkajgiri Commissionerate,
Rep. by its Public Prosecutor,
High Court at Hyderabad. ... Respondent-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 petitioner on bail who is arrayed as accused in connection with FIR No.1103 of 2026 of Saroornagar Police Station, Malkajgiri Commissionerate. The offence alleged against the petitioner-accused is punishable under Section 69 of the BNS.

2. Heard Sri V. Vijay Shankar, 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 complainant has filed F.C.O.P against her husband – Ravi Kiran before the learned IV Additional District Judge, Ranga Reddy District, which was dismissed for default as both parties remained absent despite

repeated adjournments. The allegations in the complaint are false. The alleged relationship of the petitioner- accused with the complainant continued for a period of time when the complainant marriage was subsisting. Petitioner-accused is arrested and remanded to judicial custody on 25.10.2026. Entire investigation is completed and prayed to enlarge the petitioner-accused on bail.

4. Learned Additional Public Prosecutor submits that the prosecution has made an application before concerned Court on 29.10.2026 to record the statement of the victim under Section 183 of BNSS, the same is pending consideration.

5. Notice got issued to the victim is served, proof is filed to that effect.

6. Victim has lodged a report before P.S.Saroornagar on 24.10.2026. It is stated in the complaint that she got married to XXX in the presence of elders and they have a daughter aged 6 years and 8 months. In the month of August, 2022, she visited the house of her friend Ms. Durga at Vanasthalipuram to attend her daughter's birthday and she became acquainted with Durga's brother-in-law, namely V.Rajesh. Subsequently, Rajesh contacted her from his mobile number and expressed his love for her and promised to marry her, had sexual intercourse with her and later denied his promise to marry her. Basing on the said complaint, FIR came to be registered.

7. Petitioner-accused is arrested and remanded to judicial custody on 25.10.2026, since then he is in jail.

8. Record goes to show that respondent has altogether examined 11 witnesses in support of the prosecution case.

9. This Court is conscious of the fact that prosecution has made an application before the concerned Court to record the statement of the victim under Section 183 of BNSS on 29.10.2026, which is pending consideration.

10. On reading of Section 69 of BNS, which states that "whoever by deceitful means or by making promise to marry to a woman without any intention of fulfilling the same, has sexual intercourse with her, such sexual intercourse not amounting to the offence of rape."

11. On reading of the complaint which clearly states that complainant is already married and she was blessed with a daughter, question of marrying again does not arise and the F.C.O.P. filed by her which came to be dismissed for default for non appearance of the parties.

12. Record goes to show that major portion of the investigation is completed, detaining the petitioner-accused further in judicial custody will not serve the purpose. Hence, petitioner-accused is entitled to be enlarged on bail, subject to the following conditions:

i. The petitioner-accused shall execute a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two local sureties for a like sum each to the satisfaction of the learned Special Judicial Magistrate of First Class (Excise)-cum-V Additional Judicial Magistrate of First Class, Ranga Reddy District at L.B.Nagar.

ii. The petitioner-accused shall appear before the concerned SHO between 10 a.m. and 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-accused shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

iv. The petitioner-accused 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.

13. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

B.R.MADHUSUDHAN RAO, J

Date: 06.11.2026
YVL

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