

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

**MONDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 10162 OF 2026

Between:

Mohammed Abdul Ayaan, S/o Mohammed Fahim, Aged about 16 years, Occ. Student, R/o Non Teaching Quarters, Flat No.C-8, HCU, Gachibowli, Serilingampally, Ranga Reddy District, N/o H.No.2-3-512/3, Babunagar, Amberpet, Hyderabad Being minor rep by his father Mohammed Fahim S/o Mohammed Nahim, Aged about 45 years, Occ. Lab Technician, R/o Non Teaching Quarters, Flat No.C-8, HCU, Gachibowli, Serilingampally, Ranga Reddy District

...PETITIONER/CCL-3

AND

1. The State of Telangana, Rep. by the Public Prosecutor, High Court at Hyderabad
2. Victim Girl

...RESPONDENT/RESPONDENT No. 2

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to Quash the proceedings against the Petitioner/CCL-3 in JCC.No.148 of 2026 on the file of II Additional Junior Civil Judge CUM II Additional Judicial Magistrate of First Class, Ranga Reddy District at L.B. Nagar.

I.A. NO: 1 OF 2026

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings including appearance of the Petitioner/CCL-3 in JCC.No.148 of 2026 on the file of II Additional Junior Civil Judge CUM II Additional

Judicial Magistrate of First Class, Ranga Reddy District at L.B. Nagar, pending disposal of the above Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M. A. K. Mukheed, Advocate for the Petitioner, Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No. 1 and none appeared for the Respondent No. 2.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.10162 of 2026

Date: 13.07.2026

Between:

Mohammed Abdul Ayaan

...Petitioner/CCL No.3

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed by the petitioner seeking to quash the proceedings in J.C.C.No.148 of 2026 on the file of the learned II Additional Junior Civil Judge-cum-II Additional Judicial Magistrate of First Class, Ranga Reddy District at L.B. Nagar, wherein the petitioner is arrayed as CCL No.3, for the offences punishable under Sections 65(1) and 295 of the Bharatiya Nyaya Sanhita, 2023 (BNS), Section 3 read with Section 4 of the Protection of Children from Sexual Offences Act, 2012 (for short "POCSO Act"), Section 67 of the Information Technology Act, 2000, and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Learned Additional Public Prosecutor submits that, pursuant to the order dated 03.07.2026, the Investigating Officer served notice on the father of the victim as well as the victim on 10.07.2026 informing them about the filing of the present Criminal Petition and the date on which the matter was listed. Despite service of the said notice, respondent No.2 has not entered her appearance nor engaged counsel to represent her before this Court.

2. Heard, learned counsel for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. Though the present Criminal Petition has been filed seeking to quash the proceedings in J.C.C.No.148 of 2026, during the course of arguments, the learned counsel for the petitioner restricted the prayer and sought a direction dispensing with the personal appearance of the petitioner/CCL No. 3 in J.C.C. No. 148 of 2026, pending on the file of the learned II Additional Junior Civil Judge-cum-II Additional Judicial Magistrate of First Class, Ranga Reddy District at L.B. Nagar. It is submitted that the petitioner is a student and is pursuing his education, and that it would be difficult for him to attend the trial on each and every date

of hearing. It is further submitted that, unless his personal appearance is dispensed with, he would be put to hardship. The petitioner undertakes to be represented by his counsel on every date of hearing and further undertakes to appear before the trial Court whenever his personal presence is specifically required by the trial Court.

4. The learned Additional Public Prosecutor did not oppose the submission made by the learned counsel for petitioner.

5. Taking into consideration the peculiar facts and circumstances of the case, the presence of the petitioner/ CCL No.3 in J.C.C. No. 148 of 2026, pending on the file of the learned II Additional Junior Civil Judge-cum-II Additional Judicial Magistrate of First Class, Ranga Reddy District at L.B. Nagar, is dispensed with, subject to the condition that he shall be represented through his counsel on each and every date of hearing. If the presence of the petitioner is required, he shall appear before the trial Court. In case of his non-appearance on the specific date fixed by the trial Court for his appearance, the trial Court is entitled to proceed with the matter, in accordance with law.

6. Accordingly, the criminal petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

**SD/- A.JAYASREE
ASSISTANT REGISTRAR**

//TRUE COPY//



SECTION OFFICER

To,

1. The II Additional Junior Civil Judge-cum-II Additional Judicial Magistrate of First Class, Ranga Reddy District at L.B. Nagar
2. The Juvenile Justice Board-Cum-II Additional Metropolitan Magistrate, Ranga Reddy District at L.B.Nagar
3. The Station House Officer, Gachibowli Police Station, Cyberabad Commissionerate
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
5. One CC to Sri M. A. K. Mukheed, Advocate [OPUC]
6. Two CD Copies

VH/KA



HIGH COURT

DATED: 13/07/2026

ORDER

CRLP.No.10162 of 2026



**DISPOSING OF THE
CRIMINAL PETITION**

⑨ 5/10
20/7/26