

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

THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.14135 of 2026

(CNR.No. HBHC010594292026)

DATE: 09.09.2026

BETWEEN:

Jegili Rajasekhar

.....Petitioner-Accused

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad and another.

.....Respondent-Complainant

ORDER

1. This Criminal Petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') praying this Court to enlarge the petitioner-accused on bail in connection with Crime No.917 of 2026 of Jawaharnagar Police Station, Malkajgiri District, registered for the offences punishable under Sections 376(1), 354(c), 354(d), 354(b), 509 of IPC.

2. Heard Sri Bala Krishna Mandapati, learned counsel for the petitioner-accused and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

3. Learned counsel for the petitioner submits that there is an extraordinary and unexplained delay between the alleged occurrence and the FIR. The alleged occurrence is dated 16.08.2022 whereas the FIR is registered only on 23.06.2026 nearly four years later. The FIR itself records the reason for delay as "delay by the complainant". Delay alone cannot be conclusive in a case of this nature. There is a material escalation from an attempt, as stated in complaint dated 23.06.2026. The contemporaneous chat material shows persistent pursuit of contact by the complainant's side despite the petitioner-accused blocking her. There is no contemporaneous medical corroboration to support the complainant. Complainant is medically examined on 26.06.2026 nearly four years after the alleged occurrence on 16.08.2022 and the FSL report is awaited. The alleged offences mentioned in the FIR are not made out. Counsel in support of his contention relied on the decisions in the cases

of **1. Prashant vs. State of NCT of Delhi¹** **2. Surendra Khawse vs. State of Madhya Pradesh and another²** and prayed to enlarge the petitioner-accused on bail.

4. Notice got issued to de-facto complainant is served, proof is filed to that effect.

5. Learned Additional Public Prosecutor submits that specific overt acts are attributed against the petitioner-accused in the complaint and also in the remand case diary. Potency test of the petitioner-accused is conducted and Section 183 of BNSS statement of the victim is recorded on 13.08.2026.

6. De-facto complainant has lodged a report before P.S. Jawaharnagar stating that she is a married woman, her marriage is performed in the year 2007 and she is having a baby boy. She received message from the petitioner-accused in the year 2020 and 2021, but she did not give any reply. Petitioner-accused came to her house and attempted to commit rape on her due to which she lost her pregnancy. Basing on the said complaint, FIR came to be registered.

¹ (2025) 5 SCC 764

² 2025 SCC Online SC 2043

7. Petitioner-accused is arrested and remanded to judicial custody on 17.08.2026. Remand case diary goes to show that respondent has examined altogether 12 witnesses in support of the case. Petitioner counsel has filed whatsapp chats between the petitioner-accused and the complainant, with that of the husband of the complainant. Complaint goes to show that the incident has happened on 16.08.2022, but crime came to be registered on 23.06.2026 after a period of four years. Complainant received a message from the wife of the petitioner-accused that he is worst fellow and has lot of nude photos and videos of her and many other women which forced her to lodge a complaint.

8. The statement of the victim under Section 183 of BNSS is recorded on 13.08.2026 and the remand case diary goes to show that major portion of the investigation is completed.

9. The decision cited by the petitioner counsel stated supra in para 3 are in respect of quashing of FIR and charge sheet, the same are not applicable to the case on hand.

10. Since the statement of the victim under Section 183 of BNSS is already recorded on 13.08.2026, investigation is at the fag end, 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 sureties for a like sum each to the satisfaction of the learned Jurisdictional Court/Magistrate.
- ii. The petitioner-accused shall appear before the concerned SHO between 10 a.m. to 5 p.m., on every Sunday and Wednesday 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.

11. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand
closed.

Date: 09.09.2026
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B.R.MADHUSUDHAN RAO, J

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