

**IN THE COURT OF SPECIAL JUDGE FOR FAST TRACK COURT FOR
EXPEDITIOUS DISPOSAL OF CASES OF RAPE AND PROTECTION OF
CHILD FROM SEXUAL OFFENCES (POCSO) ACT AT MEDAK**

PRESENT: Smt. R.M. SUBHAVALLI,

**Spl. Sessions Judge for fast tracking the cases
relating to atrocities against women-cum-I Addl.
District and Sessions Judge, Medak.**

**FAC- Spl. Judge, Fast Track Special Court for
Expeditious Trial And Disposal of Rape and POCSO
Act Cases At Medak.**

MONDAY, 15th DAY OF JUNE, 2026

POCSO SC. No. 07 of 2025

Crime No. & Police Station.	Crime No.335 of 2024 of P.S. Chegunta.
Description of Accused	Peddabal Bhanu Prasad @ Bhanu S/o Narsimulu, Aged: 22 years, Mudiraj Caste, Occ: Agriculture, R/o Chittojipally Village, Chegunta Mandal, Medak District.
Charges	Under Sections 64(2)(m), 87 of BNS and Section 5(I) r/w 6 of The POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006.
Plea of the accused	Pleaded not guilty
Finding of the Court and sentence.	In the result, the accused is not found guilty for the offences under Sections 64(2)(m), 87 of Bharatiya Nyaya Sanhita and Section 5(I) r/w 6 of The POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 and accordingly he is acquitted under Section 258(1) BNSS. His bail bonds shall stand cancelled after the appeal time is over. The Un-marked property i.e., Bajaj Pulsar 150 bearing No. TS 35 G 7996 already given to interim custody vide CrI.MP.No.228 of 2025, dated 18.09.2025 shall hold good after expiry of appeal time is over and Un-marked property

	i.e., OPPO mobile phone shall be returned to its rightful owner after expiry of appeal time is over.
Prosecution conducted by	Sri M. Balaiah, Special Public Prosecutor.
Accused defended by	Sri. G. Santhosh Reddy, Adovcate for the accused.
Date of Offence	23.10.2024
Date of FIR	24.10.2024
Date of charge-sheet	14.02.2025
Date of framing charge(s)	23.12.2025
Date of commencement of evidence	19.02.2025
Date on which Judgment is reserved	12.05.2026
Date of Judgment	19.05.2026
Date of sentencing Order, if any	--

ACCUSED DETAILS:

Rank of the Accused	Name of the Accused	Date of Arrest	Date of Release on Bail	Offences charged with U/Sec	Whether Acquitted or Convicted	Sentence imposed	Period of Detention undergone during Trial for purpose of Sec. 428 Cr.P.C.
Sole	Peddabal Bhanu Prasad Bhanu @	26.10.2024	18.09.2025	U/Secs. 64(2)(m), 87 BNS and Section 5(l) r/w 6 of The POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006.	Acquitted U/sec.258(1) BNSS	--	--

This case is coming up for final hearing in the presence of Sri. M. Balaiah, Special Public Prosecutor for the State and that of Sri. G. Santhosh Reddy, Advocate for the Accused and upon perusing the material on record and upon hearing the arguments, this Court doth delivered the following:-

:: J U D G M E N T ::

1. This case is filed by Sub-Divisional Police Officer, Toopran Sub Division filed a charge-sheet against accused in crime No.335 of 2024 of PS Chegunta under Sections 64(2)(m), 87 of Bharatiya Nyaya Sanhita and Section 5(l) r/w 6 of The POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006.

2. (i) In Brief facts of the prosecution case is that on 24.10.2024 at 07:30 hours, the de facto-complainant/father of victim girl came to Chegunta PS and lodged a petition, in which he reported that he has two daughters, the elder daughter and the younger daughter, and one son. His younger daughter XXX victim girl (name not to be revealed) was studying degree first year at Govt. College, Medak, and he goes to drop his younger daughter at Chegunta bus stand every day. As usual on 23.10.2024 at 08:30 am, he dropped victim girl at Chegunta bus stand to go to college, and she did not return to home till 17:30, due to which he searched for his daughter in the vicinity and relatives' houses, but didn't know whereabouts of her and he is suspicious of Peddabalu Bhanu of Chittojipalli village. Hence, he requested to take necessary action.

(ii) Basing on the complaint of the de facto-complainant/father of victim girl, the G. Chaithanya Kumar Reddy, Sub-Inspector of Police, Chegunta PS registered a case in Cr.No. 335/2024 U/s 137(2) BNS, issued FIR, and dispatched them to all the concerned. During the course of his investigation the G. Chaithanya Kumar Reddy, Sub-Inspector of Police, examined the parents of victim girl and recorded their detailed statements and proceeded to scene found at Chegunta Bus stand, where the G. Chaithanya Kumar Reddy, Sub-Inspector of Police, noticed the victim girl

and brought her to police station and sent her to Bharosa center Medak under the escort of Smt. G. SWeetha, WPC-760 to record her 180 BNSS statement. Again the G. Chaithanya Kumar Reddy, Sub-Inspector of Police, proceeded to scene, secured the presence of mediators Thonta Durgapathi and Gangaram Babu, in their presence conducted scene of offence panchanama, noted all the observations made at the scene and drawn a rough sketch of scene. The P. Bharathi, Woman Assistant Sub-Inspector of Police, examined the victim girl and recorded her detailed 180 BNSS statement, which was videographed by the Smt. G. SWeetha, WPC-760 with her VIVO V 25 mobile phone, in which the victim girl clearly deposed that the accused participated in sexual inter course with her several times. Later the G. Chaithanya Kumar Reddy, Sub-Inspector of Police, sent the victim girl to MCH Medak for medical examination, where the medical officer Dr. Rajyalaxmi, CAS, MCH, Medak couldn't conducted medical examination over the victim girl due to her menstruation period. Basing on the statement of victim, the G. Chaithanya Kumar Reddy, Sub-Inspector of Police, altered the section of law from 137(2) BNS to 64(2) (m), 87 BNS, sec. 5(1) r/w 6 of POCSO Act 2012 and Section 9 of Prohibition of Child Marriage Act, issued express report and dispatched to all the concerned. On receipt of the above report, the S. Venkat Reddy,

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Sub-Divisional Police Officer, Toopran SDPO Toopran proceeded to Chegunta PS, taken up the further investigation of this case and verified the investigation done by the G. Chaithanya Kumar Reddy, Sub-Inspector of Police. Later the G. Chaithanya Kumar Reddy, Sub-Inspector of Police, re-examined the witnesses, parents of victim girl and examined the sister of victim girl and recorded their detailed statements and due to late night hours, the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran couldn't proceed further investigation of this case.

(iii) On 25.10.2024 the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran proceeded to Reddypalli village, examined the witness Aunt of victim girl and recorded her detailed statement. Later the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran proceeded to ZPHS Reddypalli village, collected the bonafide of victim girl from Kethavath Gangbai, Headmaster, in which she reported that the date of birth of victim girl is 12.04.2007 and her age is (17) years, (06) months and (19) days at the time of offence ie., 23.10.2024 and she is minor. The S. Venkat Reddy, Sub-Divisional Police Officer, Toopran examined the Kethavath Gangbai, Headmaster, and recorded her detailed statement. Then the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran, along with victim girl and her parents, proceeded to the 2nd scene of the offence situated at

Nacharam village, Wargal mandal of the Siddipet district, where the victim girl showed the room where the accused participated in sexual intercourse with her. The S. Venkat Reddy, Sub-Divisional Police Officer, Toopran examined the Painam Bikshapathy and recorded his detailed statement, secured the presence of two mediators Bitla Naveen and Konda Madugu Praveen in their presence conducted scene of offence panchanama, noted all the observations made at the scene and drawn a rough sketch of scene and it was video graphed by the V. Ramesh PC-638 with sony Handycam. The Smt. G. SWeetha, WPC-760 downloaded the video of 180 BNSS of victim statement in computer and after copied the same in CD, generated its hash value and issued 63(4) (c) BSA certificate and handed over the same to S. Venkat Reddy, Sub-Divisional Police Officer, Toopran, the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran, also generated its hash value and it is tallied with the hash value generated by the Smt. G. SWeetha, WPC-760. The S. Venkat Reddy, Sub-Divisional Police Officer, Toopran also examined the smt. G. SWeetha, WPC-760 and recorded her detailed statement. The V. Ramesh, PC-638 copied the video of 2nd CDF in computer, copied the same in DVD as ZIP folder, generated it hash value and also issued 63(4)(c) BSA certificate and handed over the same to S. Venkat Reddy, Sub-Divisional Police Officer, Toopran. The S. Venkat

Reddy, Sub-Divisional Police Officer, Toopran also generated its hash value and it is tallied with the hash value generated by the V. Ramesh, PC-638. On reliable information, the G. Chaithanya Kumar Reddy, Sub-Inspector of Police, apprehended the accused at his house on 26.10.2024 at 12:30 hours and brought him to Chegunta Police station along with motor cycle and informed the same to S. Venkat Reddy, Sub-Divisional Police Officer, Toopran. Immediately the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran proceeded to Chegunta PS, interrogated the accused thoroughly, during the interrogation the accused ready to confess, the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran secured the presence of two mediators Sameena Sulthana and Talla Ramesh Goud in their presence the accused confessed to have committed this offence. The S. Venkat Reddy, Sub-Divisional Police Officer, Toopran recorded the detailed confessional statement of accused, seized one Bajaj Pulsar 150 motor cycle bearing No. TS-35-G-7996 and one OPPO mobile phone and (06) Photographs which were taken from the mobile of accused under a cover of Panchanama, which was videographed by the V. Ramesh, PC-638 with sony handycam. Later the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran effected the arrest of accused at 15:00 hours on

26.10.2024, issued an arrest card duly informing him and his family members about the grounds for arrest under U/s 47 & 48 BNSS.

(iv) The V. Ramesh, PC-638 who video graphed the confession cum seizure panchanama of accused downloaded the videos in computer and after copied the same into DVD in ZIP folder, generated its hash value and issued 63(4)(C) of BSA certificate and handed over the same to S. Venkat Reddy, Sub-Divisional Police Officer, Toopran. The S. Venkat Reddy, Sub-Divisional Police Officer, Toopran also generated its hash value and it is tallied with the hash value generated by the V. Ramesh, PC-638. Later the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran examined the V. Ramesh, PC-638 and recorded his detailed statement. Then the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran sent the accused to the District Head Quarters Hospital, Medak, for a medical checkup and also for a potency test, where the medical officer Dr. Ramesh, CAS, MCH, Medak examined him and issued potency report and also a medical and fitness certificate of accused and after medical examination the accused sent for Judicial remand. On the requisition of S. Venkat Reddy, Sub-Divisional Police Officer, Toopran, the Prl. JFCM, Medak recorded the 183 BNSS statement of victim on 26.10.2024 On 29.10.2024 the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran again sent the

victim girl to MCH Medak for medical examination, where the Dr. Vasudha bharadwaj, CAS, MCH, Medak examined the victim girl and preserved vaginal swabs and smears. On 01.11.2024 the preserved vaginal swabs and smears are deposited at FSL Hyderabad for analysis. Basing on the FSL report the Dr. Vasudha bharadwaj, CAS, MCH, Medak Medical officer examined the victim girl furnished her final opinion that sexual assault cannot be ruled out.

(v) During the course of his investigation, S. Venkat Reddy, Sub-Divisional Police Officer, Toopran collected the 63(4)(C) BSA certificates from Nodal Officer, Bharathi Airtel, Nodal Officer, Reliance JIO through Supdt. of Police, Medak district and on verification found that the mobile No. 9705665482 which is used by victim girl found on the name of father, Mobile No. 6304232XXX which was used by the accused found on the name of his father. The call data between the accused and victim girl are found from 01.09.2024 to 24.10.2024 (CDRS and CAFs are submitted in CD/DVD).

(vi) After completion of his investigation the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran filed charge-sheet against the accused for the offences punishable under sections 64(2)(m), 87 of

Bharatiya Nyaya Sanhita and Section 5(l) r/w 6 of The POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006.

3. This case was taken on file and taken cognizance by my predecessor officer under sections 64(2)(m), 87 of Bharatiya Nyaya Sanhita and Section 5(l) r/w 6 of The POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 against the accused by 1st Additional District and Sessions Judge Court, Medak. Later this case is transferred to this court as per docket order, dated 22.10.2025, on the point of jurisdiction.

4. On appearance of accused copies of documents are furnished to the accused as required under section 230 BNSS.

5. After hearing Learned Special Public Prosecutor and the learned counsel for accused under section 249 BNSS. Upon considering the material on record under section 251 BNSS, charges were framed under sections 64(2)(m), 87 of Bharatiya Nyaya Sanhita and Section 5(l) r/w 6 of The POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 against accused and the same were read over and explained to the accused in Telugu for which he pleaded not guilty and claimed to be tried.

6. During the course of trial prosecution examined PW1 to PW3 out of 24 listed witnesses and got marked Ex.P1 to Ex.P4 on its behalf.

7. After closure of the prosecution evidence, Accused was examined under Section 351 BNSS, as there is incriminating material evidence against him from the evidence of the prosecution witnesses and same is read over to him in Telugu for which he denied the same and reported no defence evidence

8. Both side arguments heard: Heard.

9. Now, the point for determination is:

1. Whether the accused is committed an offence under Sections 64(2)(m), 87 of Bharatiya Nyaya Sanhita?

2. Whether the accused is committed an offence under Section 5(l) r/w 6 of The Protection of Children from Sexual Offences Act, 2012?

3. Whether the accused is committed an offence under Section 9 of Prohibition of Child Marriage Act, 2006?

4. Whether the prosecution proved the guilt of the accused for the offences under sections 64(2)(m), 87 of Bharatiya Nyaya Sanhita and Section 5(l) r/w 6 of The POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 beyond all reasonable doubt?

5. To what relief?

10. **POINT: 1 to 4 :**

It is a case of rape and kidnap allegedly minor victim girl by the accused. To establish the same the prosecution adduced PW1 to PW3 evidence out of 24 listed witnesses.

To establish their case prosecution adduced the victim girl examined as PW1, before court PW1 stated that PW2 and PW3 are her parents and said that she know the accused who is present through Video conference room and PW1 specifically said that she came to court as there is case against her husband who is accused in this case and PW1 said her parents threatened her not to see cell phone, on that without informing to her parents she went to her grand mother's house at Hyderabad and PW1 said that when she was not in house her parents searched for her and filed the case about her missing and PW1 said that after three days she returned to her parents house and PW1 said that her parents never took her anywhere and said she never sent to hospital. The PW1 not supported prosecution version and turned hostile and denied her earlier statement as in Ex.P1. The reason best known to her.

12. On seeing PW1 evidence, prosecution adduced the PW2 evidence who is father of victim girl who gave complaint about missing of PW1, before court PW2 stated that by admitting relationship with PW1 is his daughter and PW3 is his wife and also said that about 1½ year back his

daughter went to degree college and she did not returned back and he went to police station and gave complaint and the PW2 identified his signature in complaint as in Ex.P2, the PW2 further said that on next day morning his daughter returned to home and informed him that she went to her grand father's house and the PW2 who is father of victim girl he did not supported the prosecution version and turned hostile and denied his earlier statement as in Ex.P3. The reason best known to him.

13. On seeing PW1 and PW2 evidence, prosecution adduced the PW3 evidence who is mother of victim girl and wife of PW2 and she also stated before court that she know the accused who is her son in-law, who is present through video conference room and PW3 said that about one and half year back her daughter went to degree college and she did not returned back then PW1 went to police station and gave complaint. The PW3 specifically said that on next day morning her daughter returned to home and informed her that she went to her grand father's house. PW3 also not supported the prosecution version and turned hostile and denied her earlier statement as in Ex.P4. The reason best known to her.

14. On seeing PW1 to PW3 evidence, the prosecution given up the evidence of Sister of victim girl, Aunt of victim girl, Kethavath Gangabai, Headmaster, Painam Bikapathy, G. Sweetha, WPC-760, V. Ramesh, PC-RMSV

638, Tonta Durgapathi, Gangaram Babu, Bitla Naveen, Konda Madugu Praveen, Sameena Sulthana, Talla Ramesh Goud, Dr. Rajyalaxmi, CAS, MCH, Medak Dr. Ramesh, CAS, Dist. Hospital, Medak, Dr. Vasudha Bharadwaj, CAS, MCH, Medak, Nodal Officer, Bharati Airtel, Nodal Officer, Reliance JIO, Prl. JFCM, Medak, P. Bharathi, Women Assistant Sub-Inspector of Police, G. Chaithanya Kumar Reddy, Sub-Inspector of Police, S. Venkat Reddy, Sub-Divisional Police Officer, Toorpan who are the victim girl sisters and owner and four panch witnesses and remaining are official witnesses, if they examined the real facts might be established.

14. **Before going to further one again we observed the Section of law:**

As per section 64(2) (m) of Bharatiya Nyaya Sanhita –

Punishment for rape.

(1) Whoever, except in the cases provided for in sub-section (2), commits rape, shall be punished with rigorous imprisonment of either description for a term which shall not be less than ten years, but which may extend to imprisonment for life, and shall also be liable to fine.

(2) Whoever,—

(a) being a police officer, commits rape,—

(i) within the limits of the police station to which such police officer is appointed; or

(ii) in the premises of any station house; or

(iii) on a woman in such police officer's custody or in the custody of a police officer subordinate to such police officer; or

(b) being a public servant, commits rape on a woman in such public servant's custody or in the custody of a public servant subordinate to such public servant; or

(c) being a member of the armed forces deployed in an area by the Central Government or a State Government commits rape in such area; or

(d) being on the management or on the staff of a jail, remand home or other place of custody established by or under any law for the time being in force or of a women's or children's institution, commits rape on any inmate of such jail, remand home, place or institution; or

(e) being on the management or on the staff of a hospital, commits rape on a woman in that hospital; or

(f) being a relative, guardian or teacher of, or a person in a position of trust or authority towards the woman, commits rape on such woman; or

(g) commits rape during communal or sectarian violence; or

(h) commits rape on a woman knowing her to be pregnant; or

(i) commits rape, on a woman incapable of giving consent; or

(j) being in a position of control or dominance over a woman, commits rape on such woman; or

(k) commits rape on a woman suffering from mental or physical disability; or

(l) while committing rape causes grievous bodily harm or maims or disfigures or endangers the life of a woman; or

(m) commits rape repeatedly on the same woman, shall be punished with rigorous imprisonment for a term which shall not be less than ten years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and shall also be liable to fine.

Explanation.—For the purposes of this sub-section,—

(a) "armed forces" means the naval, army and air forces and includes any member of the Armed Forces constituted under any law for the time being in force, including the paramilitary forces and any auxiliary forces that are under the control of the Central Government or the State Government;

(b) “hospital” means the precincts of the hospital and includes the precincts of any institution for the reception and treatment of persons during convalescence or of persons requiring medical attention or rehabilitation;

(c) “police officer” shall have the same meaning as assigned to the expression “police” under the Police Act, 1861;

(d) “women’s or children’s institution” means an institution, whether called an orphanage or a home for neglected women or children or a widow’s home or an institution called by any other name, which is established and maintained for the reception and care of women or children.

15. As per Section 87 of Bharatiya Nyaya Sanhita – Kidnapping, abducting or inducing woman to compel her marriage, etc.

Whoever kidnaps or abducts any woman with intent that she may be compelled, or knowing it to be likely that she will be compelled, to marry any person against her will, or in order that she may be forced or seduced to illicit intercourse, or knowing it to be likely that she will be forced or seduced to illicit intercourse, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and whoever, by means of criminal intimidation as defined in this Sanhita or of abuse of authority or any other method of compulsion, induces any woman to go from any place with intent that she may be, or knowing that it is likely that she will be, forced or seduced to illicit intercourse with another person shall also be punishable as aforesaid.

16. The First and foremost the prosecution has to established that the accused allegedly committed rape forcefully against the PW1 participated in sexual intercourse for several times without her consent and got child marriage, but when we see PW1 evidence who is victim girl she admitted that she know the accused who is present through video conference room

and she said that she came to court as there is case against her husband who is accused in this case and she also said that her parents threatened her not to see cellphone, on that without informing to her parents she went to her grand mother's house at Hyderabad. The PW1 further said that when she was not in house her parents searched for her and filed the case about her missing, as per PW1 she returned to home after 3 days she returned to her parents house and said that her parents never took her to anywhere and also said she never went to hospital, but as per PW2 he said that on next day morning his daughter returned to home when he gave complaint, as per PW2 he gave complaint on 24.10.2024, but PW2 said before court about 1½ year back her daughter went to decree college and she did not returned to home after next day morning she came to home and informed that she went to grand father's house, but PW1 said that she went to her grand mother's house, but whatever may be the PW1 not stated when she got married with the accused prior to the alleged incident or after incident. The PW2 and PW3 also not disclosed when PW1 got married with accused on seeing PW3 evidence who is mother of victim girl she stated that the accused is her son in-law, but she did not disclosed when her daughter marriage performed by him, when we see PW2 complaint in it PW2 mentioned that "**Naku eedharu kuthurlu mariyu oka**

kumarudu mugguru santhanam kalaru, naa chinna kuthuru Medak Nandu Govt. Degree college yandu modati savasram chaduvuthunnadi, nenu naa kuthurunu roju maa inti daggara nundi Chegunta busstand daggara dimpivasthanu, roju madiriga nenu thedi 23.10.2024 nadu udayam andajaja 08:30 gantalaku naa kuthurunu college vellalani Chegunta busstand vadda nundi dimpi vellinanu, thirigi naa kuthuru sayanthram andaja 05:30 gantalaku maa intiki rananduna chuttu pakkala mariyu maa banduvula vadda antha vethikinanu, elanti achuki labinchaledhu, na kuthurunu Chittojipally gramani chendina Peddabal Bhanu Prasad maya matalu cheppi thiskoni poinatlu maku anumanam kaladu, etti darakasthupai thagu vicharana chesi thagu charya thiskogalarani naa yokka manavi.

17. (i) To establish their case the prosecution not adduced the Painam Bikapathy evidence who is owner of 2nd CDF where the victim girl and accused resided by taking his house on rent, as well as prosecution not adduced the Tonta Durgapathi evidence who is mediator for the 2nd scene of offence, further prosecution not adduced the evidence of V. Ramesh PC-638 who recorded the 2nd CDF, confession cum seizure panchanama of accused, if the prosecution adduced Painam Bikapathy, G. Sweetha, WPC-760, V. Ramesh, PC-638, Tonta Durgapathi, Gangaram Babu, Bitla

Naveen, Konda Mudugu Praveen, Sameena Sulthana, Talla Ramesh Goud, witnesses evidence who are the panch witnesses and in their presence the accused confessed and during his confession the S. Venkat Reddy, Sub-Divisional Police officer, Toopran seized the cellphone of accused as well as victim girl and collected the BSA certificate from Nodal Officer, Bharati Airtel and Nodal Officer, Reliance JIO with regard to the call details of accused as well as victim girl, but prosecution due to non examination of them the same was not established. Further prosecution not adduced the evidence of G. Sweetha, WPC-760 who recorded the victim girl statement at Bharosa Center, after that Prl. JFCM, Medak examined the victim girl and recorded her confession statement, if they examined the real facts might be established. When we see 164 Cr.P.C., statement of victim girl that **"I am studying Degree 1st year in Medak Degree College. While I was in 10th class during my holidays I used to go learn tailoring at chegunta, one person by name bhanu used to work as mechanic in the bike showroom which is beside my tailoring class, we got acquainted with one another later fell in love, used to speak with him regularly during night over mobile phone in the absence of my parents. I used to speak on the mobile of my father, after 4 years, 2 months back while I was speaking to bhanu over**

phone, he requested to come to nacharam Narasimha swamy temple along with him. On one day we went together to nacharam bhanu took a room in a lodge, told that he will bring food, keys. Later after having dinner, he told that as we will get marry, we can be physically intimate and had sexual intercourse with me three times. After one week again we went to nacharam and he had sexual intercourse with me. Later I used to go to college regularly and my father used to drop me in chegunta bus stop. On 23-10-2024 after my father dropped me in the bus stop, as planned myself and bhanu earlier, we went to Badrinath Temple, Medchal and got married. Later we went to Gajwel, stayed on the road for some time later, bhanu told me that he will get money and dropped me in Chegunta bus stop. In gajwel we stayed for one hour in one of our acquaintances house. We had sexual intercourse in that one hour also. Later bhanu dropped me in chegunta bus stop, told he will get money but he never came back. In the meantime police came to chegunta bus stop and took me to police station. Here the prosecution not confronted the PW1 183 BNSS statement, it can be easily established the guilty of accused. But the same was absent.

(ii) After that the prosecution not adduced the evidence of G. Chaithanya Kumar Reddy, Sub-Inspector of Police, who issued First Information Report basing on PW2 complaint, if G. Chaithanya Kumar Reddy, Sub-Inspector of Police, examined the prima-facie given complaint might be established. The PW2 and PW3 clearly said that PW1 did not return to home then they searched for her and gave complaint to police and PW2 identified his signature in complaint as in Ex.P2, but here prosecution fails to extract the contents of complaint where PW2 admitted his signature as in Ex.P2. Further prosecution not adduced the S. Venkat Reddy, Sub-Divisional Police Officer, Toopran evidence who recorded the confession statement of accused and seized the DVD's, one Bajaj Pulsar 150 Motorcycle and one mobile phone and six photographs etc. The prosecution fails to prove the confession of accused for the offence under section 64(2)(m), 87 of Bharatiya Nayaya Sanhita.

20. **As per Section 5(l) of The Protection of Children from Sexual Offences Act, 2012 - Aggravated penetrative sexual assault.**

(a) Whoever, being a police officer, commits penetrative sexual assault on a child —

(i) within the limits of the police station or premises at which he is appointed; or

(ii) in the premises of any station house, whether or not situated in the police station, to which he is appointed; or

- (iii) in the course of his duties or otherwise; or
 - (iv) where he is known as, or identified as, a police officer; or
 - (b) whoever being a member of the armed forces or security forces commits penetrative sexual assault on a child—
 - (i) within the limits of the area to which the person is deployed; or
 - (ii) in any areas under the command of the forces or armed forces; or
 - (iii) in the course of his duties or otherwise; or
 - (iv) where the said person is known or identified as a member of the security or armed forces; or
 - (c) whoever being a public servant commits penetrative sexual assault on a child; or
 - (d) whoever being on the management or on the staff of a jail, remand home, protection home, observation home, or other place of custody or care and protection established by or under any law for the time being in force, commits penetrative sexual assault on a child, being inmate of such jail, remand home, protection home, observation home, or other place of custody or care and protection; or
 - (e) whoever being on the management or staff of a hospital, whether Government or private, commits penetrative sexual assault on a child in that hospital; or
 - (f) whoever being on the management or staff of an educational institution or religious institution, commits penetrative sexual assault on a child in that institution; or
 - (g) whoever commits gang penetrative sexual assault on a child.
- Explanation.—When a child is subjected to sexual assault by one or more persons of a group in furtherance of their common intention, each of such persons shall be deemed to have committed gang penetrative sexual assault within the meaning of this clause and each of such person shall be liable for that act in the same manner as if it were done by him alone; or
- (h) whoever commits penetrative sexual assault on a child using deadly weapons, fire, heated substance or corrosive substance; or
 - (i) whoever commits penetrative sexual assault causing grievous hurt or causing bodily harm and injury or injury to the sexual organs of the child; or

- (j) whoever commits penetrative sexual assault on a child, which—
 - (i) physically incapacitates the child or causes the child to become mentally ill as defined under clause (l) of section 2 of the Mental Health Act, 1987 (14 of 1987) or causes impairment of any kind so as to render the child unable to perform regular tasks, temporarily or permanently;
 - (ii) in the case of female child, makes the child pregnant as a consequence of sexual assault;
 - (iii) inflicts the child with Human Immunodeficiency Virus or any other life threatening disease or Infection which may either temporarily or permanently impair the child by rendering him physically incapacitated, or mentally ill to perform regular tasks;
 - (iv) causes death of the child; or
- (k) whoever, taking advantage of a child's mental or physical disability, commits penetrative sexual assault on the child; or
- (l) whoever commits penetrative sexual assault on the child more than once or repeatedly; or
- (m) whoever commits penetrative sexual assault on a child below twelve years; or
- (n) whoever being a relative of the child through blood or adoption or marriage or guardianship or in foster care or having a domestic relationship with a parent of the child or who is living in the same or shared household with the child, commits penetrative sexual assault on such child; or
- (o) whoever being, in the ownership, or management, or staff, of any institution providing services to the child, commits penetrative sexual assault on the child; or
- (p) whoever being in a position of trust or authority of a child commits penetrative sexual assault on the child in an institution or home of the child or anywhere else; or
- (q) whoever commits penetrative sexual assault on a child knowing the child is pregnant; or
- (r) whoever commits penetrative sexual assault on a child and attempts to murder the child; or

(s) whoever commits penetrative sexual assault on a child in the course of communal or sectarian violence or during any natural calamity or in similar situations]; or

(t) whoever commits penetrative sexual assault on a child and who has been previously convicted of having committed any offence under this Act or any sexual offence punishable under any other law for the time being in force; or

(u) whoever commits penetrative sexual assault on a child and makes the child to strip or parade naked in public, is said to commit aggravated penetrative sexual assault.

21. As per Section 6 of The Protection of Children from Sexual Offences Act, 2012 - Punishment for aggravated penetrative sexual assault.

Whoever commits aggravated penetrative sexual assault shall be punished with rigorous imprisonment for a term which shall not be less than twenty years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of natural life of that person and shall also be liable to fine, or with death.

(2) The fine imposed under sub-section (1) shall be just and reasonable and paid to the victim to meet the medical expenses and rehabilitation of such victim.

22. For establishing the same the prosecution has to prove that as on the date of offence the PW1 is a minor for that the prosecution not adduced the evidence of Kethavath Gangabai, Headmaster, who issued bonafide certificate of victim girl i.e., PW1. Further prosecution not adduced the evidence of Dr. Rajyalaxmi, CAS, MCH, Medak, Dr. Ramesh, CAS, Dist.Hospital, Medak, Dr. Vasudha Bharadwaj, CAS, MCH, Medak, Nodal

Officer, Bharathi Airtel, Nodal Officer, Reliance JIO, Smt. P. Bharathi, Women Assistant Sub-Inspector of Police, and Prl. JFCM, if they examined the real facts might be established, due to non examination of G. Chaithayana Kumar Reddy, Sub-inspector of Police, prima-facie registering the case against accused basing on the PW2 complaint, due to non examination of S. Venkat Reddy, Sub-Divisional Police Officer, Toopran, who done entire investigation done and filed charge sheet as accused committed offence under section 5 r/w 6 of POCSO Act, 2012.

**23. As per section 9 of Prohibition of Child Marriage Act, 2009 –
Punishment for male adult marrying a child.**

Whoever, being a male adult above eighteen years of age, contracts a child marriage shall be punishable with rigorous imprisonment which may extend to two years or with fine which may extend to one lakh rupees or with both.

24. The PW2 and PW3 not stated that the accused is forcefully got married with the PW1 who is allegedly minor victim girl and the prosecution fails to prove that the PW1 is a minor as on the date of alleged incident, if the prosecution adduced the evidence of Tonta Durgapathi, Gangaram Babu, Bitla Naveen, Konda Madugu Praveen, Sameena Sulthana, Talla Ramesh Goud, panchas and confession cum seizure panchanama of accused can be established, due to non examination of them the

prosecution fails to prove that the accused allegedly got married with victim girl with forcefully. Further prosecution fails to prove, due to non examination of G. Chaithanya Kumar Reddy, Sub-Inspector of Police, who issued First Information Report in this case and S. Venkat Reddy, Sub-Divisional Police Officer, Toopran, who done entire investigation in this case and he did not produce nay proof before court to show that the accused got child marriage with PW1. The prosecution fails to prove that the accused committed an offence under section 9 of Prohibition of Child Marriage Act, 2006.

25. In the above facts and circumstances, the prosecution fails to prove the guilty of accused under sections 64(2)(m), 87 of Bharatiya Nyaya Sanhita and Section 5(l) r/w 6 of The POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006, beyond all reasonable doubt. Hence, the accused is entitled for acquittal.

Point No.4:

26. In the result, the accused is not found guilty for the offences under Sections 64(2)(m), 87 of Bharatiya Nyaya Sanhita and Section 5(l) r/w 6 of The POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 and accordingly he is acquitted under Section 258(1) BNSS. His bail

bonds shall stand cancelled after the appeal time is over. The Un-marked property i.e., Bajaj Pulsar 150 bearing No. TS 35 G 7996 already given to interim custody vide Crl.MP.No.228 of 2025, dated 18.09.2025 shall hold good after expiry of appeal time is over and Un-marked property i.e., OPPO mobile phone shall be returned to its rightful owner after expiry of appeal time is over.

(Typed on my dictation by the Stenographer Grade-III, Corrected and Pronounced by me in the Open Court on this the 15th day of June, 2026).

1st Addl. District And Sessions Judge, Medak.

FAC - Spl. Judge, Fast Track Special Court for expeditious trial and disposal of Cases of Rape & POCSO Act cases, Medak.

List of Prosecution/Defence/Court Witnesses

A. Prosecution:

RANK	NAME	Nature of evidence (Eye witness, Police witness, Expert witness, medical witness, panch witness, other witness)
PW1	'X'	De facto-complainant/victim girl
PW2	XXX	Father f victim girl
PW3	XXX	Mother of victim girl

B. Defence Witnesses, if any:

RANK	NAME	Nature of evidence (Eye witness, Police witness, Expert witness, medical witness, panch witness, other witness)
- no -	- no -	-no-

C. Court witnesses, if any:

RANK	NAME	Nature of evidence (Eye witness, Police witness, Expert witness, medical witness, panch witness, other witness)
- no -	- no -	-no-

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS:A. Prosecution:

Sl.No.	Exhibit Number	Description
1	Exhibit P1/PW1	161 Cr.P.C., statement of PW1
2	Exhibit P2/PW2	Signature on PW2 on complaint
3	Exhibit P3/PW2	161 Cr.P.C., statement of PW2
4	Exhibit P4/PW3	161 Cr.P.C., statement of PW3

B. Defence:

Sl.No.	Exhibit Number	Description
- nil -	- nil -	- nil -

C. Court Exhibits:

Sl.No.	Exhibit Number	Description
- nil -	- nil -	- nil -

D. Material Objects:

Sl.No.	Material Object	Description
- nil -	- nil -	- nil -

1st Addl. District And Sessions Judge, Medak.

FAC - Spl. Judge, Fast Track Special Court for expeditious trial and disposal of Cases of Rape & POCSO Act cases, Medak.