

**IN THE COURT OF SPECIAL SESSIONS JUDGE, FAST TRACK SPECIAL
COURT FOR EXPEDITIOUS TRIAL AND DISPOSAL OF RAPE AND
POCSO ACT CASES AT NAGARKURNOOL.**

Present: **Smt. Naseem Sultana,**
Spl. Sessions Judge, Fast Track Special Court for Rape and
POCSO Act cases, Nagarkurnool

On Monday, this the 27th day of July, 2026

S.C. No.2 of 2025

Name of the Complainant	: Victim woman, W/o. XXXX, Age: 30 years, Caste: ST (Lambada), Occ: Coolie, R/o. Achampet mandal.
Name of the Accused	: Pathlavath Gopinath, S/o. Balu, Age: 44 years, Caste: ST (Lambada), Occ: Ration Dealer, R/o. Ankironipally village of Achampet Mandal of Nagarkurnool District.
Charge	: 354C, 354D, 376(2)(n) and 506 IPC
Cr.No. and Name of the Police Station	: 184 of 2024, P.S., Achampet
Plea of the Accused	: Pleaded not guilty
Finding of the Court	: Not guilty
Sentence of Order	: In the result, Accused is found not guilty for the offences punishable U/s.354C, 354D, 376(2)(n) and 506 IPC and accordingly the accused is acquitted U/s.235(1) Cr.P.C. The bail bonds of the accused shall remain in force for a period of six months as contemplated U/s.437A Cr.P.C. MO1 is

Spl. Sessions Judge,
Nagarkurnool.

one Vivo Cell phone, which shall be confiscated to the state, after appeal time is over.

This Case is coming up for hearing before me on dt.24.07.2026 in the presence of Sri. P. Damodar Reddy, Learned Special Public Prosecutor, Nagarkurnool for the State and of Sri. M. Srinivas Gupta, Counsel for the Accused and upon perusing the material on record, upon hearing the arguments and the matter stood over for consideration till this day, this court delivered the following:

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

1. The Inspector of Police, P.S., Achampet has filed charge sheet against the accused in Cr.No.184 of 2024 of P.S., Achampet for the offences punishable under Sec.354C and 354D, 376(2)(n) and 506 IPC.
2. The case of the prosecution is that PW1/victim woman and the accused belongs to same village and belongs to Lambada Caste. Accused was a ration dealer and PW1/victim woman used to visit his ration shop regularly for collecting the ration rice from last six years. As such, accused and PW1/victim woman were acquainted with each other. Accused was harassing PW1/victim woman in the name of love but she did not agreed to his proposal, even though he offered gold and money to her, for fulfilling his sexual desire. About two years prior to lodging the report, the accused on one day took her to one room of Thirumala lodge at Achampet village by stating that he is having

some work there and gave some intoxicant drink to her and participated in sexual intercourse with her without her consent and during the said period, he took the nude photos and videos of PW1. Since then the accused by threatening PW1/victim woman by stating he will show the said photos and videos to others, had sexual intercourse with her, without her consent, several times at Thirumala lodge and at other places. On 14.09.2024 at 07:00Pm PW1/victim woman came to know from her villagers that the accused was showing her nude photos and videos to their villagers and damaged her reputation and insulted her modesty. Hence, PW1/victim woman has lodged a report in the PS Achampet for taking necessary action against the accused.

3. Basing on the said report, a case in Cr.No.184 of 2024 for the offence punishable under Sec.376(2)(n) and Sec.354C of IPC was registered by the police. During the course of investigation, police has examined and recorded the statements of witnesses, visited the scene of offence, prepared crime details form and drawn the rough sketch of the scene of offence in the crime details form itself. Basing on the statement of PW1, police has added the section of Law U/s.354D and 506 of IPC to U/Sec.376(2)(n), 354C IPC. On 17.09.2024, police has apprehended the accused and on his interrogation in the presence of the mediators, accused confessed to have committed this offence and in pursuance of his confession, police has seized one Vivo Cell

phone, from the accused by preparing confession cum recovery panchanama and after arrest, sent him to the Court for Judicial remand. After completion of the investigation, police has filed the charge sheet against the accused for the offence U/Sec.376(2)(n), 354C, 354D and 506 of IPC.

4. The learned JMFC, Achampet, took cognizance for the offences punishable U/s. 354C, 354D, 376(2)(n) and 506 IPC against the accused vide PRC.No.24/2024.

i) On appearance of the accused, case copies and the documents upon which the prosecution is relied upon are furnished to the accused, U/sec.207 Cr.P.C., as the offence U/s.376(2)(n) IPC is exclusively triable by the Court of Sessions. The case was committed to the Hon'ble Court of Sessions, Nagarkurnool under Sec.209 Cr.P.C and numbered as S.C. No.2/2025.

ii) On appearance of accused charges are framed against the accused for the offences U/Sec.354D, 354C, 376(2)(n) and 506 IPC, read over and explained to him in his vernacular language, for which he pleaded not guilty and claimed to be tried.

iii) As per the the orders of the Hon'ble Prl. District and Sessions Court, Nagarkurnool vide Dis.No.2730/2025, dt:11.12.2025, this case is transferred to this court for disposal of the same in accordance with law.

5. During trial the prosecution has examined PWs.1 to 9 and got marked Ex.P1 to Ex.P18 and MO1. After the closure of prosecution evidence, the accused was examined U/s.313 Cr.P.C., in respect of the incriminating material appearing against him in the prosecution evidence for which the accused denied the same and reported no defence evidence and no documents were marked on his behalf.

6. Heard the arguments of learned Special Public Prosecutor and the learned counsel for the accused and perused the record.

7. The learned Special Public Prosecutor would submit that the evidence of PW8 and PW9 and Exs.P2, P11 to P18 are supporting the prosecution evidence and thus proved its case against the accused beyond all reasonable doubt for the charged offences and as such, the accused is liable to be punished in accordance with law.

8. On the contrary, the learned counsel for the accused would submit that there is no trustworthy evidence on record and that Pws.1 to 7 who are the material witnesses has not supported the prosecution case and hence the prosecution has failed to establish the guilt of the accused beyond all reasonable doubt and thus, the accused is entitled for an acquittal.

9. Now, the points for determination are:-

- 1) *Whether the prosecution could able to prove the charges U/Sec.354C of Indian Penal Code against the accused beyond all reasonable doubt?*
- 2) *Whether the prosecution could able to prove the charges U/Sec.354D of Indian Penal Code against the accused beyond all reasonable doubt?*
- 3) *Whether the prosecution could able to prove the charges U/Sec.376(2)(n) of Indian Penal Code against the accused beyond all reasonable doubt?*
- 4) *Whether the prosecution could able to prove the charges U/Sec.506 of Indian Penal Code against the accused beyond all reasonable doubt?*

POINT No.1 to 4 :-

For the sake of convenience, brevity and to avoid repetitions of evidence, these points are taken up together for discussion.

10. To bring home the guilt of the accused, the question is whether a case U/s.354C, 354D, 376(2)(n) and 506 IPC, has been made out against the accused by the prosecution.

11. Before advertng to the evidence of prosecution, it is proper to have a glance over the provisions U/s.354D, 354C, 376(2)(n) and 506 IPC.

Sec.354D IPC reads as,

Stalking: any man who(i) follows a woman and contacts, or attempts to contact such woman to foster personal interaction repeatedly despite a clear indication of disinterest by such woman; or...

Sec.354C IPC reads as,

Voyeurism: Any man who watches, or captures the image of a woman engaging in a private act in circumstances where she would usually have the expectation of not being observed either by the perpetrator or by any other person at the behest of the perpetrator or disseminates such image shall be punished on first conviction with imprisonment of either description for a term which shall not be less than one year, but which may extend to three years, and shall also be liable to fine, and be punished on a second or subsequent conviction, with imprisonment of either description for a term which shall not be less than three years, but which may extend to seven years, and shall also be liable to fine.

Sec.376(2)(n) IPC reads,

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...

Sec.506 IPC reads,

Punishment for criminal intimidation: *Whoever commits, the offence of criminal intimidation shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both...*

12. PW1 is the complainant/victim woman, who set criminal law in motion by lodging Ex.P2/report in P.S., Achampet on 15.09.2024. Whereas PW1/victim woman has deposed that she do not know anything about this case and that she is not having any grievance against the accused nor he has committed any offence against her. She further deposed that about one year ago, the police has obtained her signature on a blank paper and that she do not know the contents of the report/Ex.P2. As such, PW1 has denied to have the knowledge of the contents of Ex.P2/report. PW1 has also denied to have stated before the police as in Ex.P3. PW1 has also denied to have stated as in her 164 Cr.P.C statement vide Ex.P4. Though PW1 was cross examined at length by the learned Special public prosecutor, but nothing could be elicited in favour of the prosecution. Hostile evidence of PW1 is not helpful to the prosecution. PW1 gave death blow to the case of prosecution. Hence the evidence of PW1 is of no value to the prosecution.

13. PW2, is the husband of victim woman. PW3, is the brother-in-law of victim woman. PW4, is the mother of victim woman. PW5, is the sister of victim woman. PW2 to PW5 deposed that they do not know anything about this case and that they are not having any grievance against the accused nor

he has committed any offence against PW1. PW2 to PW5 has also denied to have stated before the police as in Ex.P5 to Ex.P8 respectively. Though PW2 to PW5 were cross examined at length by learned Special public prosecutor, but nothing could be elicited in favour of the prosecution. Hence evidence of PW2 to PW5 is of no value to the prosecution.

14. PW6 and PW7 are said to be the mediators while conducting confession cum recovery panchanama has also turned hostile. Hence the evidence of PW6 and PW7 are also not helpful to prove the prosecution case against the accused.

15. Hence there remains the evidence of PW8 and PW9, who are the investigating officers and who has done the investigation. The investigating officers undeniably provided the comprehensive details, including the accused's arrest. However, as mentioned earlier, PW2, is the husband of victim woman, PW3, is the brother-in-law, PW4, is the mother and PW5, is the sister of victim woman, who are the material prosecution witnesses has not supported the prosecution case. Similarly the evidence of PW1, the victim woman has also failed to provide concrete evidence to substantiate the claim of prosecution that accused has committed voyeurism, stalked, threatened and committed rape on the victim woman/PW1. Hence, in the absence of corroborating evidence either from the victim or from other witnesses, PW1 to

PW7, this Court finds that the testimony of PW9 is not particularly useful, in proving the case of the prosecution against the accused.

16. Regardless of the circumstances, as previously discussed in this case, there is no evidence on record to substantiate that the accused has committed voyeurism, stalked, threatened and committed rape on the victim woman/PW1. As a result, the prosecution is unable to establish the guilt of the accused beyond all reasonable doubt. Therefore, point No.1 to 4 are resolved in favour of the accused and against the prosecution.

In the result, Accused is found not guilty for the offences punishable U/s.354C, 354D, 376(2)(n) and 506 IPC and accordingly the accused is acquitted U/s.235(1) Cr.P.C. The bail bonds of the accused shall remain in force for a period of six months as contemplated U/s.437A Cr.P.C. MO1 is one Vivo Cell phone, which shall be confiscated to the state, after appeal time is over.

Typed to my direct dictation by the Stenographer Grade-III, corrected and pronounced by me in the open Court, this the 27th day of July, 2026.

Sd/-
**Special Sessions Judge,
FTSC for expeditious trial and disposal of
Rape & POCSO Act cases, Nagarkurnool.**

Spl. Sessions Judge,
Nagarkurnool.

APPENDIX OF EVIDENCE

For Prosecution:-

PW1 : Victim woman
PW2 : Husband of the victim
PW3 : Brother in law of the victim
PW4 : Mother of the victim
PW5 : Sister of the victim
PW6 : R. Naresh, Mediator to confession cum recovery panchanama
PW7 : K. Raju, Mediator to confession cum recovery panchanama
PW8 : M. Ramulu, Investigation officer
PW9 : G. Ravinder, Investigation officer

For Defence:-

Nil

EXHIBITS MARKED

For Prosecution :

Ex.P1 : Signature of PW1 on report
Ex.P2 : Report
Ex.P3 : 161 Cr.P.C statement of PW1
Ex.P4 : 164 Cr.P.C statement of PW1
Ex.P5 : 161 Cr.P.C statement of PW2
Ex.P6 : 161 Cr.P.C statement of PW3
Ex.P7 : 161 Cr.P.C statement of PW4
Ex.P8 : 161 Cr.P.C statement of PW5
Ex.P9 : Signature of PW6 on Confession cum recovery panchanama
Ex.P10 : Signature of PW7 on Confession cum recovery panchanama
Ex.P11 : First Information Report
Ex.P12 : Crime detail form

Ex.P13 : Confession cum recovery panchanama

Ex.P14 : Potency certificate

Ex.P15 : Section addition memo

Ex.P16 : FSL Report

Ex.P17 : Preliminary medical report

Ex.P18 : Final report

For Defence:

Nil

MATERIAL OBJECTS

MO1 is one Vivo Cell phone

Sd/-

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