

**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 Wednesday, this the 15th day of July, 2026.

S.C.(POCSO). No.220 of 2022

Name of the Complainant : Father of Victim girl, S/o. XXXX, Age: 37 years, Caste: BC Mudiraj, Occ: Agriculture, R/o. Achampet Mandal of Nagarkurnool District.

Name of the Accused : Jammula Suresh @ Surender, S/o. Venkataiah, Age: 25 years, Caste: BC Mudiraj, Occ: Mason, R/o. Pulijala village of Achampet Mandal, Nagarkurnool District.

Charge : 354D, 506, 363, 376(2)(i)(n) IPC and Sec.5(j)(ii)(I) r/w 6 of POCSO Act – 2012.

Cr.No. and Name of the Police Station : 123 of 2021, 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/ss.354D, 506, 363, 376(2)(i)(n) IPC and Sec. 5(j)(ii)(I) r/w 6 of Protection of Children from Sexual Offences Act, 2012 and accordingly the Accused is acquitted U/s.235(1) Cr.P.C. The bail bonds of the Accused

Spl. Sessions Judge,
Nagarkurnool

shall remain in force for a period of six months as contemplated U/s.437A Cr.P.C. MO1 is One Honda Shine Motor cycle bearing No.TS 31D 2967, which is already given in interim custody to the accused, shall be made absolute, after appeal time is over.

This Case is coming up for hearing before me on dt.14.07.2026 in the presence of Sri. P. Damodar Reddy, Learned Special Public Prosecutor, Nagarkurnool and of Sri. B. Ganesh, counsel for 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.123 of 2021 of P.S., Achampet for the offences punishable under Sec. 354D, 506, 363, 376(2)(i)(n) IPC and Sec.5(j)(ii)(I) r/w 6 of Protection of Children from Sexual Offences Act, 2012.
2. The case of the prosecution is that one year prior to lodging of the report, the accused who was working as a mason in a newly constructed house situated beside the agricultural land which was taken on lease by the parents of the victim girl/PW5, got acquaintance with the victim girl/PW5. The accused followed the victim girl/PW5 by telling delusive words that he loves her and wanted to marry her. PW5/victim girl has

refused his love and informed about the harassment caused by the accused to her parents. As such, the parents of minor victim girl/PW5 i.e., PW1 and PW2 has admonished the accused. Though the accused kept quiet for some period but again his harassment continued. Finally on 11.10.2021 at about 07:00PM, when the minor victim girl/PW5 was alone in her house, the accused came there and took her forcibly on his motorcycle bearing No. TS 31 D 2967 by stating delusive words that he loves her and wanted to marry her and took her to Cheruvugattu temple at Nalgonda district and tied mangalasuthram on her neck. Again the accused took her on the same motorcycle to the Utlapalli village of Kandookoor mandal of Rangareddy district to the house of one Kasa Mallesh/LW8 and took his house on rent by stating that victim girl/PW5 is his wife and that they are married. Since then the accused participated in sexual intercourse with victim girl/PW5 forcibly from 12.10.2021 to 13.05.2022. As a result, victim girl/PW5 became five months pregnant. On 14.05.2022 the accused came to know that the parents of victim girl/PW5 has lodged a report in the police station. Hence he took her on his motorcycle from Utlapalli village and dropped her at the outskirts of her village at 11:00Am by stating to go to her house. As such, victim girl/PW5 went to her house and informed about the whole incident to her

parents. PW1, father of minor victim girl has lodged a report in the PS Achampet for taking necessary action.

3. Basing on the said report, a case in Cr.No.123 of 2021 for the offence under the head of "Girl missing" of P.S., Achampet was registered by 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. Basing on the statement of PW5, police has altered the section of Law from the head of "Girl missing" to Sec. 354D, 363, 506, 376(2)(i)(n) IPC and Sec.5(j)(ii)(I) r/w 6 of Protection of Children from Sexual Offences Act, 2012. Police has collected the Bonafide certificate of the victim girl/PW5. On 17.05.2022, 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 Honda Shine Motor cycle bearing No.TS 31D 2967, from the accused by preparing confession cum recovery panchanama and after the arrest of the accused, sent him to the Court for Judicial remand. After completion of the investigation, police has filed the charge sheet against the accused for the offences U/Sec.354D, 363, 506, 376(2)(i)(n) IPC and Sec.5(j)(ii)(I) r/w 6 of Protection of Children from Sexual Offences Act, 2012.

4. The learned Prl. District and Sessions Judge, Nagarkurnool, took cognizance for the offences U/s. 354D, 506, 363, 376(2)(i)(n) IPC and Sec.5(j)(ii)(I) r/w 6 of Protection of Children from Sexual Offences Act, 2012 and registered as SC.(POCSO).No.220 of 2022. As per the the orders of the Prl. District and Sessions Court, Nagarkurnool vide Dis. No.235, dt:29.07.2022 the case is madeover to this court for disposal of the same in accordance with law.

5. On appearance of accused, case copies and the documents upon which the prosecution is relied upon are furnished to the accused, U/sec. 207 Cr.P.C. Charges are framed against the accused, for the offences U/S. 354D, 506, 363, 376(2)(i)(n) IPC and Sec.5(j)(ii)(I) r/w 6 of Protection of Children from Sexual Offences Act, 2012, read over and explained to him in his vernacular language, for which he pleaded not guilty and claimed to be tried.

6. During trial the prosecution has examined PWs.1 to 6 and got marked Ex.P1 to Ex.P19 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.

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

8. The learned Special Public Prosecutor would submit that the evidence of PW6 and Exs.P2, P9 to P19 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.

9. On the contrary, the learned counsel for the accused would submit that there is no trustworthy evidence on record and that Pws.1 to 5 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.

10. Now, the points for determination are:-

- 1) Whether the prosecution could able to prove the charges U/Sec. 354D IPC against the accused beyond all reasonable doubt?*
- 2) Whether the prosecution could able to prove the charges U/Sec. 506 IPC against the accused beyond all reasonable doubt?*
- 3) Whether the prosecution could able to prove the charges U/Sec. 363 IPC against the accused beyond all reasonable doubt?*

4) *Whether the prosecution could able to prove the charges U/Sec. 376(2)(i)(n) IPC against the accused beyond all reasonable doubt?*

5) *Whether the prosecution could able to prove the charges U/Sec.5(j)(ii)(l) r/w 6 of Protection of Children from Sexual Offences Act – 2012 against the accused beyond all reasonable doubt?*

POINT No.1 to 5:-

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

11. To bring home the guilt of the accused, the question is whether a case U/s.354D, 506, 363, 376(2)(i)(n) IPC and Sec.5(j)(ii)(l) r/w 6 of Protection of Children from Sexual Offences Act, 2012, has been made out by the prosecution.

12. Before advertng to the evidence of prosecution, it is proper to have a glance over the provisions u/s.354D, 506, 363, 376(2)(i)(n) IPC and Sec.5(j)(ii)(l) r/w 6 of Protection of Children from Sexual Offences Act, 2012.

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.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...

Sec.363 IPC reads,

Punishment for kidnapping: Whoever kidnaps any person from india or from lawful guardianship, shall be punished with imprisonment of either description for a term 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 5 of POCSO Act 2012 reads, Aggravated penetrative sexual assault:

(j) whoever commits penetrative sexual assault on a child, which;

(ii) in the case of female child, makes the child pregnant as a consequence of sexual assault;

(l) whoever commits penetrative sexual assault on the child more than once or repeatedly, or...

Sec 6 of POCSO Act 2012 reads, 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...

13. PW1 is the complainant and the father of the victim girl, who set criminal law in motion by lodging Ex.P2/report in PS Achampet on 13.10.2021. Whereas PW1 has deposed that he do not know anything about this case and that he is not having any grievance against the accused nor he has committed any offence against his daughter/PW5. He further deposed that about three years ago, the police has obtained his signature on a blank paper and that he 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. Though PW1 was cross examined at length by the learned Special public prosecutor, but nothing could be elicited in favour of the prosecution. Hence evidence of PW1 is of no value to the prosecution.

14. PW2 is the mother of the victim girl, PW3 is the grand father of the victim girl and PW4 is the uncle of the victim girl/PW5. PW2 to PW4 has

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 PW5. They have also denied to have stated before the police as in Ex.P4 to Ex.P6 respectively. Though PW2 to PW4 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 PW4 is not helpful to prove the prosecution case against the accused.

15. PW5 is the minor victim girl and she is the crucial evidence in this case. PW5 has clearly stated that she do not know anything about this case and that she is not having any grievance against the accused and that he has not committed any offence against her. PW2 has also denied to have stated before the police as in Ex.P7. PW5 has also denied to have stated as in her 164 Cr.P.C statement vide Ex.P8. There is no allegation in the evidence of PW5 that the accused said to have stalked her, threatened her, Kidnapped her, raped her and committed aggravated penetrative sexual assault on her and made her pregnant. Hence, PW5 has resiled from the statement recorded by police as in Ex.P7. Hostile evidence of PW5 is not helpful to the prosecution. PW5 gave death blow to the case of prosecution.

16. Hence there remains the evidence of PW6, who is the investigating officer and who has done substantial part of investigation. The

investigating officer undeniably provided the comprehensive details, including the accused's arrest. Undoubtedly as per the bonafide certificate/Ex.P13, PW5 is a minor girl. However, as mentioned earlier, PW1, the father of victim girl and PW2, the mother of the victim girl/PW5, PW3, the grand father of the victim girl/PW5 and PW4, the uncle of the victim girl/PW5, who are the material prosecution witnesses has not supported the prosecution case. Similarly the evidence of PW5, the victim girl has failed to provide concrete evidence to substantiate the claim of prosecution that accused said to have stalked her, threatened her, Kidnapped her, raped her and committed aggravated penetrative sexual assault on her and made her pregnant. Hence, in the absence of corroborating evidence either from the victim girl or from other witnesses, this Court finds that the testimony of PW6 is not particularly useful, in proving the case of the prosecution against the accused.

17. Regardless of the circumstances, as previously discussed in this case, there is no evidence on record to substantiate that the accused said to have stalked PW5, threatened her, Kidnapped her, raped her and committed aggravated penetrative sexual assault on her and made her pregnant. As a result, the prosecution is unable to establish the guilt of the accused beyond all reasonable doubt. Therefore, points No.1 to 5 are resolved in favour of the accused and against the prosecution.

In the result, Accused is found not guilty for the offences punishable U/ss.354D, 506, 363, 376(2)(i)(n) IPC and Sec.5(j)(ii)(I) r/w 6 of Protection of Children from Sexual Offences Act, 2012 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 Honda Shine Motor cycle bearing No.TS 31D 2967, which is already given in interim custody to the accused, shall be made absolute, after appeal time is over.

Typed to my direct dictation by the stenographer G-III, corrected and pronounced by me in the open Court, this the 15th day of July, 2026.

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

APPENDIX OF EVIDENCE

For Prosecution:-

PW1 : Complainant/Father of victim girl
PW2 : Mother of victim girl
PW3 : Grand Father of victim girl
PW4 : Uncle of victim girl
PW5 : Victim
PW6 : B. Anudeep, Investigation officer

For Defence:-

Nil

Spl. Sessions Judge,
Nagarkurnool

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: 161 Cr.P.C statement of PW2
- Ex.P5: 161 Cr.P.C statement of PW3
- Ex.P6: 161 Cr.P.C statement of PW4
- Ex.P7: 161 Cr.P.C statement of PW5
- Ex.P8: 164 Cr.P.C statement of PW5
- Ex.P9: First Information Report
- Ex.P10: Crime Detail Form
- Ex.P11: Section alteration memo
- Ex.P12: Crime Detail Form - II
- Ex.P13: Bonafide certificate
- Ex.P14: Confession cum recovery panchanama
- Ex.P15: 2 Photos of MO1
- Ex.P16: Potency certificate
- Ex.P17: FSL Report
- Ex.P18: Preliminary Medical report
- Ex.P19: Final Report

For Defence:

Nil

MATERIAL OBJECTS

MO1 is One Honda Shine Motor cycle bearing No.TS 31D 2967

Sd/-

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

Spl. Sessions Judge,
Nagarkurnool