

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10138 of 2026

DATE: 09.07.2026

Between:

Kommanapalli Venkatesh @ Venkanna

...Petitioner/accused

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad,
Through PS Hayathnagar.

...Respondent/Complainant

ORDER

This Criminal Petition is filed before this Court for grant of bail to the Petitioner who is arrayed as accused in FIR No.242 of 2025 of Hayathnagar Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 64(2)(m), 137(2), 318(4), 351(2) and 142 of the BNS.

2. The case of the prosecution is that, on 18.02.2025, the de-facto complainant, who is the husband of the victim, lodged a report before the police stating that, on 12.02.2025, while he was in the Office, he received phone call from his Daughter and told

him that Mother was not in the house. Immediately, he told his Daughter to search nearby areas, she searched nearby areas, but could not found her. Immediately, he informed the same to his in-law's. After completion of his work, he came to home and he along with his in-law's searched and enquired about his wife in relatives, friends over phone, but in vain. He further stated that recently, he came to know that his wife was illegally contacted with the petitioner herein and he suspect that his wife left with the petitioner herein. Hence, the complainant requested to take necessary action. Basing on the said complaint, initially the police registered a case for the offence punishable under Section 137(2) of the BNS and later, basing on the statement of the victim, wherein she stated that the petitioner herein forcefully took her to his room and under the promise of marriage, he physically exploited her and took away 5 tulas of her gold and also threatened her not to disclose the same to anyone and if she reveal the same, he would kill her, therefore, she has not revealed the same, the section of law was altered to the above said offences.

3. Heard Sri Boggula Ramakrishna Reddy, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent.

4. Learned counsel for the petitioner submitted that the petitioner herein is innocent of the said allegations and whatever the relationship between the parties is a consensual relationship

and there is no such promise of marriage, as the victim is already a married woman and she is having two children and there is no such threat to the victim and he is falsely implicated in the present case. He further submitted that the petitioner is in jail since 06.05.2026 and the material part of the investigation was already completed including the recording of the statement of the victim under Section 183 of the BNSS. Therefore, he prayed the Court to grant bail to him by allowing this criminal petition.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the allegations against the petitioner are serious and heinous in nature. He further submitted that the investigation is still in progress and there is a threat to the victim from the petitioner herein. However, he informed the Court that the statement of the victim under Section 183 of the BNSS is already recorded. Therefore, he prayed for dismissal of the Criminal Petition.

6. Having considered the submissions made by both sides and upon perusal of the material available on record, it is evident that the petitioner has been in judicial custody since 06.05.2026 and as seen from the record, the date of registration of the complaint is on 18.02.2025 and the action was taken in the month of May, 2026 and according to the victim, under the promise of marriage, the

petitioner herein has committed rape on her, whereas on the date of such incident, the victim is already a married woman. Further, and the material part of the investigation was already completed including the recording of the statement of the victim under Section 183 of the BNSS. As seen from the remand case diary, the prosecution witnesses, LWs 1 to 16 have already been examined. Considering the facts and circumstances of the case, the nature of the allegations, the stage of investigation, the period of incarceration of the petitioner, this Court finds it appropriate to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned XIII Additional District and Sessions Judge, R.R. District, at L.B. Nagar.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday 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 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 09.07.2026
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K. SUJANA, J

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