

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

**FRIDAY, THE TWENTY FOURTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 12880 OF 2025

Between:

SRI KUNDETI SAINATH @ SAI, S/o. Late K. Shanker Rao, aged 36 years,
occ:Pvt. Job (Software Engineer) R/o. H.No. 5-10-93, Band Lines, Basheerbagh,
Behind Ayakar Bhavan, Opp .LB Stadium, Hyderabad - 500001. Telangana state.
...PETITIONER/ACCUSED

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court of
Telangana at Hyderabad Through P.S. Madhapur
...RESPONDENT/COMPLAINANT
2. Smt. Bommagoni Sneha,, D/o. B. Ramesh, Aged about 31 years, occu:Private
Employee, R/o. H.No. 13-2/1, Yadav Nagar, Beside Sairam Talkies,
Malkajgiri, Hyderabad - 500 047.
...RESPONDENT/DEFACTO COMPLAINANT

Petition under Section 528 of BNSS praying that in the circumstances
stated in the Memorandum of Grounds of Criminal Petition, the High Court may
be pleased to quash the proceedings against the petitioner/Accused in SC No.
60 of 2023 on the file of the XIII Additional Sessions Judges, Ranga Reddy
district at L.B. Nagar (Crime No. 1517 of 2021 of PS, Madhapur, Ranga Reddy
district)

I.A. NO: 1 OF 2025

Petition under Section 528 of BNSS praying that in the circumstances
stated in the Memorandum of Grounds of Criminal Petition, the High Court may
be pleased to stay all the further proceedings including the stay of appearance of
the petitioner/accused before in the SC No. 60 of 2023 on the file of the XIII
Additional Sessions Judges, Ranga Reddy district at L.B. Nagar (Crime No. 1517
of 2021 of PS, Madhapur, Ranga Reddy district)

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri D
SATYANARAYANA, Advocate for the Petitioner and SRI. JITHENDER RAO
VEERAMALLA, Additional Public Prosecutor on behalf of the Respondent No.1

The Court made the following: ORDER

THE HONOURABLE SMT.JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.12880 of 2025

ORDER:

This Criminal Petition is filed by the petitioner -accused seeking to quash the proceedings in SC No.60 of 2023 on the file of the XIII Additional Sessions Judge, R.R. District at L.B. Nagar, for the offences under Sections 376, 384, 417 and 420 IPC.

2. Heard Sri D. Satyanarayana, learned counsel for the petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor for the respondent No.1- State.

3. Learned counsel for the petitioner has submitted that the petitioner is aged 36 years old and the respondent No.2 is 27 years old and there was a consensual relationship between both the parties and that the allegation leveled against the petitioner under Section 376 IPC does not get attracted in this case as the respondent No.2 has consented for the relationship and that she has filed a false complaint against the petitioner subsequently. Hence, prayed to quash the proceedings against the petitioner.

4. Learned Additional Public Prosecutor has submitted that there are specific allegations against the petitioner disclosing the alleged incident and the manner in which the rape was committed against the de facto complainant and therefore, he prayed to dismiss the petition.

5. Perused the record.

6. The contents of the complaint point out that the petitioner had given a cool drink to the respondent No.2, after having the same, she lost consciousness and when she was un-conscious, the petitioner has allegedly committed rape on her and has also taken her nude photos and has been harassing her by calling and blackmailing her that he would send the photos to her family members and known persons and that he would post them in social media. The recitals of the complaint and the contents of the statement of the respondent No.2-LW.1 under Section 161 Cr.P.C., point out that initially she was in a close acquaintance with the petitioner. However, after knowing that he was a married person and had two children, she moved away from him and also resigned her job and joined in another company and has been living on her own. Subsequently, on 10.12.2021 the

petitioner has called her and stated that once if she meets him, he would not interfere with her life in any manner. Then, when she went there, the alleged incident has occurred. Thus, the allegations are serious in nature. The *prima facie* case points out the offence under Section 376 IPC against the petitioner. The truth or otherwise in the allegations and the statements of the witnesses need to be tested during the course of trial. Hence, this is not a fit case to quash the proceedings against the petitioner at this stage. However, it is deemed appropriate to dispense with the attendance of the petitioner before the trial court.

7. Accordingly, the Criminal Petition is disposed of dispensing with the attendance of the petitioner before the trial court provided, he is represented by a counsel before the trial court on every date of hearing and he shall be present before the trial court as and when his presence is required by the trial court.

Miscellaneous Petitions, if any pending, shall stand closed.

SI /- L. VIJAYA LAXMI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XIII Additional Sessions Judge, Ranga Reddy district at L.B. Nagar
2. The Station House Officer, Madhapur Police Station, Madhapur, Ranga Reddy District

3. One CC to SRI D SATYANARAYANA Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. **Two CD Copies**

VM/SA

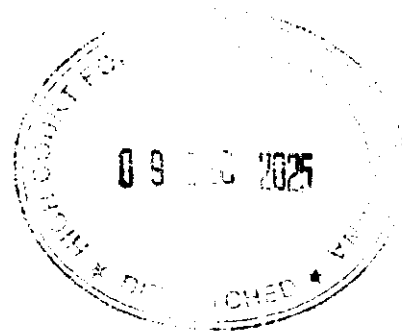
Ys

HIGH COURT

DATED: 24/10/2025

ORDER

CRLP.No.12880 of 2025



DISPOSING THE CRIMINAL PETITION

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