

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE: CrI.A.No.1136 of 2025

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
	06.04.2026	<u>KL, J & BRMR, J</u> <u>I.A.No.1 of 2026</u> Heard Mr.Mutyala Muralidhar, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent – State. This is the second bail application filed by the petitioner/accused No.1. <i>Vide</i> order dated 22.12.2025, we have dismissed I.A.No.1 of 2025 filed by the petitioner i.e., first bail application. Petitioner is accused No.1 in Sessions POCSO Case No.53 of 2020. <i>Vide</i> the impugned Judgment, learned trial Court convicted him for the offences punishable under Sections 376, 506, 305, 354-A and 504 of IPC and Section 5(d) read with Section 6 of the POCSO Act and sentenced him to undergo life imprisonment. Victim – deceased is the sister of petitioner’s wife. She is aged about 15 years at the time of commission of offence. She came to her sister’s house to assist her. Taking advantage of her loneliness, petitioner exploited her sexually. She committed suicide. Ex.P.14 is the dying declaration of the	

¹ (2010) 1 SCC 750

		deceased. On consideration of the said aspects only, learned trial Court convicted the petitioner for the aforesaid offences. Learned counsel for the petitioner would contend that the contents of the complaint and depositions lack ingredients of Section 5(d) of the POCSO Act. Placing reliance on Sections 107 and 305 of IPC, learned counsel would contend that learned trial Court did not consider the said aspect that there is no abetment by the accused to commit suicide. Basing on dying declaration conviction cannot be recorded. He has already made the said submissions while deciding I.A.No.1 of 2025. The aforesaid contentions raised by the petitioner were considered by us <i>vide</i> the order dated 22.12.2025. We have also considered the principle laid down by the Apex Court in <i>Gangula Mohan Reddy v. State of Andhra Pradesh</i>¹. While deciding bail application, this Court cannot analyze the evidence of prosecution witnesses as held by the Apex Court in Omprakash Sahni v. Jai Shankar Chaudhary [(2023) 6 SCC 123] and the same was reiterated in Rajesh Upadhyay v. The State of Bihar [2025 INSC 1468]. On consideration of the aforesaid aspects only, we have dismissed the earlier bail application filed by the petitioner on 22.12.2025. There is no change of	
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circumstances much less the substantial change of circumstances from the said date to today. *Prima facie*, there are specific overt acts against the petitioner and the offences committed by him are grave and heinous in nature.

In the light of the aforesaid discussion, we are not inclined to grant bail to the petitioner/accused. Accordingly, this petition is liable to be dismissed and accordingly, it is dismissed.

KL, J

BRMR, J

Crl.A.No.1136 of 2025

List on 15.07.2026.

B/o.Ynk

