

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

MONDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:

**THE HONOURABLE SRI JUSTICE K.LAKSHMAN
AND
THE HONOURABLE JUSTICE B.R.MADHUSUDHAN RAO**

IA No. 1 OF 2026

IN

CRLA NO: 1136 OF 2025

Between:

Kattela Saidulu, S/o.Paramesha

...Petitioner/Appellant

(Appellant in CRLA 1136 OF 2025
on the file of High Court)

AND

The state of Telangana, Rep by its Public prosecutor High Court of Telangana,
Hyderabad.

...Respondent/Complainant

(Respondent in-do-)

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to enlarge the petitioner on bail by suspending the sentence of imprisonment in Judgment Dt 26-09-2025 made in Sessions Case No.53 OF 2020 on the file of Court of the Special Judge for Trial of cases under the Protection of Children from Sexual Offences Act at Nalgonda, Nalgonda District, pending disposal of CRLA No.1136 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI MUTHYALA MURALIDHAR, Advocate for the Appellant and SRI SYED YASAR MAMOON, Additional Public Prosecutor for the Respondent.

The Court made the following

ORDER:

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. *Vide* 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. *Vide* 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 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 *vide* the order dated 22.12.2025. We have also considered the

principle laid down by the Apex Court in *Gangula Mohan Reddy v. State of Andhra Pradesh*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 Upadhayay 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 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.

SD/- A. JAYA SREE
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Special Judge for Trial of cases under the Protection of Children from Sexual Offences Act at Nalgonda, Nalgonda District.
2. The Superintendent, Central Prison, Cherlapalli, Medchal-Malkajgiri.
3. The Station House Officer, Police Station Chityal, Nalgonda District.
4. One CC to SRI MUTHYALA MURALIDHAR, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
6. One spare copy

¹ (2010) 1 SCC 750

HIGH COURT

**KL, J
&
BRMR, J**

DATED:06.04.2026

LIST ON 15.07.2026

ORDER

**I.A.No.1 of 2026
IN
CRLA.No.1136 of 2025**

DISMISSING THE I.A.

