APHC010421632026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

WEDNESDAY, THE 9th DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 6937/2026

Between:

BHUKYA RAMULU, S/O BHIMA, MALE, AGED 55 YEARS,ST-LAMBADI, R/O H.NO.10-136, NAGIREDDIGUDEM VILLAGECHINTALAPUDI MANDAL, ELURU DISTRICT.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR,HIGH COURT OF ANDHIA PRADESH, AT AMARAVATI.
2. GRAND MOTHER OF THE VICTIM GIRL, GRAND MOTHER OF THE VICTIM GIRL.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused:

ELURU SESHA MAHESH BABU

Counsel for the Respondent/complainant(S):

1. PUBLIC PROSECUTOR
2. SINGURU SAI KRISHNA

The Court made the following:

ORDER:

This Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), by the petitioner/Accused seeking grant of bail in Spl.S.C.No.34 of 2026 on the file of the learned Special Judge under the Protection of Children from Sexual Offences Act, West Godavari, Eluru, arising out of Crime No.85 of 2026 of Chinthalapudi Police Station, Eluru District, registered for the alleged offences punishable under Sections 65(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for brevity, 'the BNS') and Section 5(l) read with Section 6 of the Protection of Children from Sexual Offences Act, 2012 (for brevity, 'the POCSO Act').

2. Mr. Eluru Sesha Mahesh Babu, learned counsel for the petitioner, submits that the petitioner is innocent and has been falsely implicated in the present case. He submits that the petitioner has not committed any offence. He is a law-abiding citizen. He is the sole earning member of his family.

3. The learned counsel for the petitioner further submits that the petitioner has been in judicial custody for the past 177 days. There are no traces of penetrative sexual assault, even as per the medical opinion given by the doctor concerned. The trial has also commenced. The petitioner is aged about 55 years and he has got fixed abode. The petitioner undertakes to abide by any conditions that may be imposed by this Court while

enlarging him on bail. Hence, learned counsel prays that the Criminal Petition may be allowed.

4. *Per contra*, Mr. A. Sai Rohith, learned Assistant Public Prosecutor, and Mr. Singuru Sai Krishna, learned Legal Aid Counsel for respondent No.2, jointly submit that the trial has already commenced and is in progress. At this juncture, if the petitioner is enlarged on bail, there is every likelihood of danger to the life and limb of the victim, who is aged about 8 years. The charge sheet has already been filed. The accusations against the petitioner are well-founded. Hence, they urge this Court to dismiss the Criminal Petition.

5. Heard the learned counsel for the petitioner, the learned Assistant Public Prosecutor and the learned Legal Aid Counsel for respondent No.2.

6. Thoughtful consideration has been given to the submissions advanced by the learned counsel appearing for both sides. The entire material available on record has been perused.

7. Now, the point for consideration is:

"Whether the petitioner is entitled to be enlarged on bail?"

8. As seen from the record, the petitioner was arrested on 16.03.2026 and has been in judicial custody for the past 177 days. After completion of thorough investigation, the charge sheet has been filed against the petitioner alleging that he committed the offences punishable under

Sections 65(2) and 351(3) of 'the BNS' and Section 5(l)(m) read with Section 6 of 'the POCSO Act'. The victim is aged about 8 years.

9. As the averments in the charge sheet disclose, the accusations levelled against the petitioner are well-founded. The learned Trial Court has already issued the trial schedule and the trial is in progress. Any opinion or observation rendered by this Court at this stage may have an adverse bearing on the trial, particularly with regard to the final opinion given by the Civil Assistant Surgeon, Community Health Centre, Chintalapudi.

10. Be that as it may, as stated *supra*, having regard to the nature of the accusations and the material available in the charge sheet, this Court is not inclined to enlarge the petitioner/Accused on bail at this juncture. However, considering the fact that the petitioner has been in judicial custody for the past 177 days, the petitioner is directed to cooperate with the learned Trial Court for the early disposal of the matter, and the learned Trial Court is directed to expedite the trial and conclude the same as expeditiously as possible, in accordance with law.

11. In the result, the Criminal Petition is dismissed.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

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DR. Y. LAKSHMANA RAO, J

Date: 09.09.2026
RSI

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 6937 of 2026

Date: 09.09.2026
RSI