IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION NOS: 1425 AND 1426 OF 2026

CRIMINAL PETITION NO: 1425 OF 2026

**Between:**

Kathula Sai Kiran, S/o Paramesh, Aged 22 years, occ. Student R/o H.No.16-2-835-122/429 Asmanghad, Gandhinagar, Saidabad, Hyderabad.

**...Petitioner/accused**

**AND**

1. The State of Telangana, rep. by Public Prosecutor, High Court of Telangana at Hyderabad Through P.S. Nagole.

**...Respondent**

2. Simhadri Sashikala, W/o Subbaiah Aged about 43 years, Occ. Labour R/o H.No.1-73/65/2, YSR colony, Thattiannaram, Abdullapurmet Mandal, Ranga Reddy district.

**...Respondent/Defacto Complainant**

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for the records relating to the order dated 23-01-2026 in Crl. M.P.No. 1437 of 2025 in S.C. .Spl. No. 4 of 2025 on the file of the court of Fast Track Special Judge for Trial and Disposal of Rape and POCSO Act cases, Ranga Reddy district and quash the said order by recalling the P.W.1 for the purpose of cross examination in S.C. Spl. No. 4 of 2025.

I.A. NO: 1 OF 2026

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to Stay of all further proceedings in S.C. Spl. No. 4 of 2025 on the file of the court of Fast Track Special Judge for Trial and Disposal of Rape and POCSO Act cases, Ranga Reddy district pending disposal of the Crl. Petition.

CRIMINAL PETITION NO: 1426 OF 2026:

**Between:**

Kathula Sai Kiran, S/o Paramesh, Aged 22 years, occ. Student R/o H.No.16-2-835-122/429 Asmanghad, Gandhinagar, Saidabad, Hyderabad.

**...PETITIONER/ACCUSED**

**AND**

1. The State of Telangana, rep. by Public Prosecutor, High Court of Telangana at Hyderabad Through P.S. Nagole.

**...Respondent**

3. Simhadri Sashikala, W/o Subbaiah Aged about 43 years, Occ. Labour R/o H.No.1-73/65/2, YSR colony, Thattiannaram, Abdullapurmet Mandal, Ranga Reddy district.

**...Respondent/Defacto Complainant**

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for the records relating to the order dated 23-01-2026 in Crl.M.P.No. 1452 of 2025 in S.C. Spl. No. 4 of 2025 on the file of the court of Fast Track Special Judge for Trial and Disposal of Rape and POCSO Act cases, Ranga Reddy district and quash the said order by recalling the P.W.2 and P.W.3 for the purpose of cross examination in S.C. Spl. No. 4 of 2025.

I.A. NO: 1 OF 2026

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to Stay of all further proceedings in S.C. Spl. No. 4 of 2025 on the file of the court of Fast Track Special Judge for Trial and Disposal of Rape and POCSO Act cases, Ranga Reddy district pending disposal of the Crl. Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G. Shankaraiah, Advocate for the Petitioner-accused and Sri M. Vivekananda Reddy, learned Assistant Public Prosecutor on behalf of the Respondent No.1 and None appeared for the Respondent No.2.

**The Court made the following: COMMON ORDER**

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

**THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI**

**CRIMINAL PETITION Nos.1425 & 1426 of 2026**
**(CNR No. HBHC010067192026)**

**DATED: 08th OCTOBER, 2026**

**Between**:

Kathula Sai Kiran ...Petitioner

**AND**

The State of Telangana and another ...Respondents

**COMMON ORDER**:

These Criminal Petitions are filed by the petitioner-accused seeking to quash the impugned orders both dated 23.01.2026 passed in Crl.M.P.Nos.1437 and 1452 of 2025 in S.C.Spl.No.4 of 2025 by the learned Fast Track Special Judge for Trial and Disposal of Rape and POCSO Act Cases, Ranga Reddy District (for short, "the learned trial Court"), whereby the applications filed by the petitioner under Section 311 of the Code of Criminal Procedure, 1973 (for short, "Cr.P.C."), seeking recall of PWs.1 to 3 for the purpose of cross-examination, were dismissed.

02. Heard Sri G. Shankaraiah, learned counsel for the petitioner-accused, and Sri M. Vivekananda Reddy, learned Assistant Public Prosecutor appearing for the respondent-State. Perused the material available on record.

03. Learned counsel for the petitioner submits that the learned trial Court erred in dismissing the applications seeking recall of PWs.1 to 3 for cross-examination, without properly appreciating that certain material and relevant aspects, which are necessary for the defence of the petitioner, are required to be elicited from the said witnesses. It is further submitted that the earlier counsel who represented the petitioner before the learned trial Court could not cross-examine PWs.1 to 3 and the cross-examination of PW1 to PW3 was recorded as nil and, subsequently, the petitioner engaged another counsel. Therefore, it is contended that one more opportunity may be afforded to the petitioner to cross-examine PWs.1 to 3 by recalling them.

04. On the other hand, learned Assistant Public Prosecutor submitted that the impugned orders do not suffer from any illegality or irregularity warranting interference by this Court and, therefore, prays for dismissal of the Criminal Petitions.

05. Having regard to the rival submissions and upon perusal of the material available on record, it is evident that the petitioner filed the applications seeking recall of PWs.1 to 3 for the purpose of cross-examining them, according to the petitioner, the earlier counsel failed to cross-examine PW1 to PW3. In the facts and

circumstances of the present case, to meet the ends of Justice, this Court is of the considered view that, in order to afford a fair and reasonable opportunity to the petitioner-accused to put forth his defence, one final opportunity can be granted to cross-examine PWs.1 to 3. Such an opportunity, however, shall be subject to appropriate conditions so as to ensure that the trial is not unnecessarily delayed and that the witnesses are adequately compensated for being required to appear before the learned trial Court once again. In that view of the matter, the impugned orders dated 23.01.2026 passed in Crl.M.P.Nos.1437 and 1452 of 2025 in S.C.Spl.No.4 of 2025 by the learned trial Court are hereby set aside.

06. Accordingly, these Criminal Petitions are disposed of with the following directions:

(i). The learned trial Court is directed to recall PWs.1 to 3 for the limited purpose of their cross-examination by the petitioner-accused, subject to payment of costs of Rs.5,000/- (Rupees Five Thousand only) to each of PWs.1 to 3.

(ii). The learned trial Court shall fix a specific date for the appearance of PWs.1 to 3 and for their cross-examination.

(iii). On the date so fixed, learned counsel appearing for the petitioner-accused shall proceed with and conclude the

cross-examination of the said witnesses without seeking unnecessary adjournment.

(iv). It is made clear that no further opportunity for recalling PWs.1 to 3 shall be granted to the petitioner on the same ground.

(v). In the event of failure on the part of the petitioner to avail the opportunity so granted, the learned trial Court shall be at liberty to proceed further with the trial in accordance with law.

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

SD/- A.H.S. GOWRI SHANKAR
ASSISTANT REGISTRAR

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SECTION OFFICER

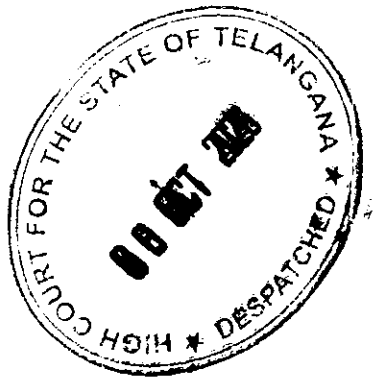
To,

1. The Fast Track Special Judge for Trial and Disposal of Rape and POCSO Act cases, Ranga Reddy District at L.B. Nagar.
2. The Station House Officer, Nagole Police Station, Rachakonda.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri G. Shankaraiah, Advocate [OPUC]
5. Two CD Copies

**GNK**

HIGH COURT

DATED: 08/10/2026




COMMON ORDER

CRLP.Nos.1425 and 1426 of 2026

DISPOSING OF THE BOTH CRLPs

(8) (SC)
8/10/26