

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4266 OF 2026

DATE :07.04.2026

BETWEEN:

Konga Buggappa

.....Petitioner/A.1

And

The State of Telangana,
Rep., by its Public Prosecutor,
High Court Building, Hyderabad

.....Respondent/Prosecution

: ORDER :

This Criminal Petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying this Court to enlarge the petitioner on bail who is arrayed as accused No.1 in Crime No.19 of 2026 of Doulthabad Police Station, Vikarabad District. The offences alleged against the petitioner are under Sections 62(2) (m), 85, 352, 351(2) r/w.3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 3(1)(r)(s) and 3(2)(v)(va) of SC/ST (POA) Amendment Act, 2015.

2. The brief facts of the case are that on 26.02.2026 at about 16:00 hours, a complaint was lodged by the complainant Smt. Thuppudu Ashwini, stating that on 06.02.2026 at about 10:30 hours, she married the petitioner, a resident of the same village, at Gangadevi Temple, Secunderabad, and they lived together happily for a few days. Thereafter, her husband's elder brother, Konga Shekhar, and his mother, Konga Venkatamma, allegedly began pressurizing the petitioner through repeated phone calls to leave her on the ground that she belongs to SC (Madiga) caste. Due to such interference and harassment, her husband left her alone on Narsingi Road and went away. Further, on the same day at about 10:00 hours, when she went to the petitioner's house, the said persons, along with Shekhar's wife Udayasri, allegedly abused her in the name of her caste and thereafter locked the house and left the place. Hence, requested the police for taking necessary action against the accused. Basing on the said complaint police registered the case against the accused.

3. Heard Sri K. Srinivas Reddy, learned counsel appearing on behalf of the petitioner and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. The learned counsel for the petitioner contends the present case has been filed with false and baseless allegations against the petitioner/A.1 and his family with a mala fide intention to harass them. It is submitted that, as per the complaint itself, after the petitioner left the complainant she went to the petitioner's house and, upon refusal by A.2 to A.4 to partition the family agricultural property in favour of the complainant for future security, she allegedly threatened to convene a panchayat or initiate proceedings under the SC/ST Act and thereafter lodged the present complaint. It is further contended that the complaint does not disclose any allegation of intentional harassment or forcible sexual intercourse by the petitioner, and the allegations are limited only to alleged caste-based abuse by A.1 to A.4. The learned counsel submits that the petitioner is a law-abiding citizen with no criminal antecedents and has been falsely implicated due to the property dispute, particularly as A.2 refused to partition the property. It is also contended that the complainant, being the legally wedded wife of the petitioner, is a well-educated beautician, and the allegation of non-consensual relationship is false and untenable. Hence, prayed this Court to grant bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail contending that during the course of investigation, L.W.10, the Woman Sub-Inspector of Police, examined and recorded the statement of the complainant/victim on 06.03.2026 at the Bharosa Centre, Vikarabad, wherein, in addition to the contents of the FIR, she stated that prior to her marriage, petitioner had forcibly committed rape on her on several occasions at her house in the absence of her family members. Based on the said statement, the offences under Section 64(2)(m) of the BNS and Section 3(2)(v) of the SC/ST Act were invoked in addition to the existing sections of law. It is further contended that L.Ws.1 to 5 have been examined, that the other accused are absconding and the investigation is still in progress. He further contended that, if the petitioner is enlarged on bail, there is a likelihood of his threatening the victim and witnesses and tampering with the evidence. Hence, petitioner is not entitled to bail and prayed to dismiss this petition.

6. Considering the submissions made by both the counsel and the material on record, the petitioner herein is in jail from 06.03.2026. The record further shows that petitioner and defacto complainant are married on 06.02.2026 and after the marriage the present complaint is lodged against the accused

due to family disputes. Considering the allegations against the petitioner and the period of his incarceration, this Court deems it fit to grant regular bail to the petitioner subject to the following conditions :

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the Judicial Magistrate of First Class at Kodangal.
- ii. The petitioner shall appear before the concerned SHO between 09.00 a.m and 5.00 p.m., on every Monday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 483(2) of the BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date :07.04.2026
Rds

K. SUJANA, J

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