

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL

CRIMINAL PETITION No.7639 of 2026

DATE: 21.05.2026

BETWEEN:

Manigonda Veneeth

...Petitioner/Accused No.4

And

The State of Telangana
Through S.H.O. of P.S. Marredpally
Rep. by its Public Prosecutor,
High Court of Telangana
at Hyderabad.

...Respondent/complainant

ORDER

This Criminal Petition is filed praying this Court to enlarge the petitioner/accused No.4 on bail in connection with Crime No.67 of 2026 on the file of Marredpally Police Station, Malkajgiri District, registered for the offences punishable under Sections 137(2), 65(1), 70(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 5 read with Sections 6, 14(2) and 15 of the Protection of Children from Sexual Offences (POCSO) Act, 2012.

2. The case of the prosecution is that on 13-03-2026 at about 21:00 hrs, a complaint was lodged by Sri Appani Surya Prakash, resident of East Marredpally, Hyderabad, stating that his 16-year-old daughter, Appani Laxmi Vyshnavi, left home on 12-03-2026 without informing the family and did not return. Despite searches and enquiries with relatives and friends, her whereabouts could not be traced. He suspected that she might have gone with an unknown person contacted through social media. Based on the said complaint, the police registered Crime No. 67 of 2026 for the offence punishable under Section 137(2) of the BNS. Subsequently, on 15-03-2026, the victim appeared before the police and gave her statement, based on which the petitioner was arrayed as Accused No.4, and the section of law was altered to Sections 137(2), 65(1), 702(2), and 351(3) of the BNS and Sections 5 read with 6, 14(2), and 15 of the POCSO Act.

3. Heard Sri A.Abhinandhan Reddy, learned counsel for the petitioner and Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing for the respondent – State.

4. Learned counsel for the petitioner submits that the petitioner was arrested on 17-03-2026 and remanded to judicial custody, and since then he has been in custody. He further submits that, as per the statement of the victim, she came into contact with the petitioner through an Instagram ID namely "I-Me-Vineeth-123" and alleged that he proposed to her and thereafter had forcible physical contact with her. According to the victim, the said incident allegedly took place in December, 2025; however, no complaint was lodged at that point of time. It is further submitted that the victim also referred to certain incidents involving other accused persons in the subject crime, which ultimately led to the registration of the present FIR, but the police have wrongly implicated the present petitioner by assuming that the allegations relate to him. He further submits that there is a clear mismatch between the identity of the petitioner and the oral description given by the victim and other witnesses, including the details relating to the Instagram ID. He further submits that neither the statement of the victim nor the Instagram ID connects the petitioner with the alleged offences or establishes any contact

between the petitioner and the victim. He further submits that if the petitioner is enlarged on granted bail, he will not tamper with the evidence, influence witnesses, or interfere with the investigation, and that he is willing to cooperate with the investigating agency. He further submits that the ingredients of the offences punishable under Sections 137(2), 65(1), 70(2), and 351(3) of the BNS and Sections 5 read with 6, 14(2), and 15 of the POCSO Act are not attracted against the petitioner. Hence, he prays to grant the regular bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor opposed the petition and submitted that the victim is admittedly below 16 years of age and is a student of 9th class. The investigation reveals that the victim's date of birth is 11.06.2010 and the place of birth is Madhav Nursing Home, St. Mary's Road, Secunderabad, as recorded in the Birth Certificate dated 02.04.2011 issued by the Registrar of Births and Deaths, Secunderabad. He further submits that, during the course of investigation, the sections of law were altered and additional provisions, namely Sections 137(2),

65(1), 70(2), and 351(3) of the BNS, along with Sections 5 read with 6, 14(2), and 15 of the POCSO Act, were invoked. Accordingly, the petitioner was remanded to judicial custody as required under law. He further submits that, despite service of notice on the victim, there has been no representation on behalf of the victim. He further submits that the investigation is still in progress and that if the petitioner is released on bail, there is every likelihood of tampering with the evidence. He further submits that the allegations made against the petitioner are serious in nature and that the witnesses are yet to be examined, which requires further investigation and therefore, prayed for dismissal of the petition.

6. In light of the submissions made by both sides and upon perusal of the material available on record, it *prima facie* appears that the FIR was registered for the offence under Section 137(2) of the BNS. Subsequently, during the course of investigation, Sections 137(2), 65(1), 70(2), and 351(3) of the BNS and Sections 5 read with 6, 14(2), and 15 of the POCSO Act of the POCSO were added.

7. Sections 6, 14(2) and 15 of the POCSO and Sections 137(2), 70(2) and 351(3) of the BNS are extracted hereunder:

“Section 6 of the POCSO Act - outlines the punishment for Aggravated Penetrative Sexual Assault.

Section 14(2) of the POCSO Act – Punishment for using a child for pornographic purposes.

Section 15 of the POCSO Act – Punishment for storage of pornographic material involving a child.

Section 137(2) of the BNS - This sub-section covers the penalty for kidnapping any person from India or from lawful guardianship (which involves taking minors under 18 or persons of unsound mind.

Section 70(2) of the BNS - pertains to the crime of gang rape when the victim is a female under 18 years of age.

Section 351(3) of the BNS - This subsection deals with severe forms of criminal intimidation. It applies when a threat is made to cause death or grievous hurt, destroy property by fire, commit an offense punishable with death or life imprisonment, or impute unchastity to a woman.”

8. In the present case, the ingredients of Sections 6, 14(2), and 15 of the POCSO Act, prima facie, are not applicable and the case requires a detailed investigation. Further, Sections 65(1) and 351(3) of the BNS also necessitates a thorough examination as to whether the relationship between the petitioner and the victim was consensual in nature or whether

the victim was subjected to force by the petitioner. The statement of the victim that she was taken to the petitioner's house is also a matter that requires proper investigation, and the necessary witnesses are yet to be examined. Furthermore, the petitioner is arrayed as accused No.4 and he has been languishing in judicial custody from 17.03.2026. Since the investigation is still in progress and is likely to take considerable time, continued detention of the petitioner would amount to an infringement of his personal liberty. Therefore, this Court is inclined 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.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of learned Special Court for the Trial of the Protection of Children from Sexual Offences (POCSO) Act Cases-cum-XII Additional Sessions Judge, City Criminal Courts at Namapally.
- ii. The petitioner shall appear before Station House Officer concerned on every Monday and Friday between 10:00 am and 1:00 pm 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 cooperate with the Investigating Officer and shall not tamper with the evidence directly or indirectly.
- iv. The petitioner shall deposit his passport, if any, before the learned trial Court and he shall not leave the jurisdiction limits of the learned trial Court without prior permission.
- v. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

9. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

E.V. VENUGOPAL, J

Date: 21.05.2026

gv/va

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