IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.17091 of 2026

(C.N.R.No. HBHC010716392026)

DATED: 29.10.2026

Between:

Dasari Divya Kanth @ Dinesh

...Petitioner-Accused

AND

1. The State of Telangana,
   Through Public Prosecutor at
   High Court of Telangana

...Respondent No.1-State

2. XXX

...Respondent No.2-Complainant.

O R D E R

1. This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) praying this Court to enlarge the petitioner-Accused on bail in connection with Crime No.1069 of 2026 of Meerpet Police Station. The offences alleged against the petitioner are punishable under Sections 64(2)(m) of the Bharatiya Nyaya Sanhita Act, 2023 (for short 'BNS') and Section 5(l) r/w 6 of

the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act')

2. Heard Sri Abuzar Ahmed Khan, learned counsel for petitioner-Accused and Sri D. Arun Kumar, learned Additional Public Prosecutor, appearing for respondent – State.

3. Learned counsel for the petitioner submits that the investigating agency had undertaken several steps during the course of investigation which included examination of the complainant, medical examination of the victim, collection of samples for forensic examination, recorded detailed 180 BNSS statement of complainant and victim and inspected the alleged scene of offence. The petitioner-Accused is arrested and remanded to judicial custody on 04.08.2026, since then he is in jail. The earlier bail applications filed by the petitioner-Accused before the Sessions Court came to be dismissed on 15.09.2026 and 09.10.2026. Since major portion of the investigation is completed, detaining the petitioner-Accused further in judicial custody will not serve

the purpose and prayed to enlarge the petitioner – accused on bail.

4. Learned Additional Public Prosecutor submits that the statement of the victim under Section 183 of the BNSS was recorded on 17.09.2026 and the prosecution has filed an application for DNA sampling of the petitioner-accused and the same is pending consideration before the concerned Court.

5. Notice issued to the *de facto* complainant is served and proof is filed to that effect.

6. The complainant has lodged a report before the Meerpet Police Station on 04.08.2026. It is stated in the complaint that Dasari Divya Kanth @ Dinesh introduced himself to the victim in the year 2024, by which date she was minor when she joined the Dance classes. Accused developed friendship with her and made frequent phone calls. In the month of April 2026, the accused, taking advantage of her absence, went to the house of the victim and committed sexual assault on the pretext of marriage. On 08.05.2026, after taking the

victim to a dance event at Kukatpally, while returning, the accused took her to bushes, threatened her and again committed sexual intercourse with her, thereby she became pregnant. Basing on the said complaint, F.I.R. came to be registered.

7. The petitioner-Accused is arrested and remanded to judicial custody on 04.08.2026, since then he is in jail.

8. Remand Case Diary goes to show that respondent-State has examined altogether 8 witnesses in support of the case. The statement of the victim under Section 183 of the BNSS was recorded on 17.09.2026.

9. This Court is conscious of the fact that prosecution has made an application before the concerned Court for DNA sampling of the accused. As on date, 86 days are completed and record goes to show that except collecting DNA sampling of the accused, entire investigation is completed, if condition is imposed on petitioner-accused to cooperate with the investigating agency after disposal of the application filed by the prosecution for DNA sampling will meet ends of justice.

10. Since major portion of the investigation is completed, detaining the petitioner-Accused further in judicial custody will not serve the purpose. Accordingly, the petitioner-Accused is entitled for grant of bail, subject to the following conditions:

i. The petitioner-Accused shall execute a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties for a like sum each to the satisfaction of the learned Special Sessions Judge for Trial and Disposal of Cases under POCSO Act, Rangareddy District.

ii. The petitioner-Accused shall appear before the concerned SHO between 11:00 a.m. and 5:00 p.m., on every Sunday 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-Accused shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

iv. The petitioner-Accused shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

v. The petitioner-Accused shall co-operate with the investigating agency after disposal of the application filed by the prosecution for DNA sampling.

vi. In the event of violation of any of the above conditions, the prosecution is at liberty to file an application for cancellation of bail.

11. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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B.R.MADHUSUDHAN RAO, J

Date: 29.10.2026.
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74

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