IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.17241 OF 2026

CNR.No. HBHC010723162026

DATE: 05.11.2026

BETWEEN:

Yemmani Elisha

... Petitioner – Accused No.2

And

1.The State of Telangana
Represented by Station House Office,
P.S.Allapur, Cyberabad Commissionerate,
Through the Public Prosecutor,
High Court for the State of Telangana, Hyderabad.

... Respondent No.1 - State

2. XXX ... Respondent No.2 - Complainant

ORDER

1. This memorandum of Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) praying this Court to enlarge the petitioner – A2 on bail in connection with Crime No.416 of 2026 of Allapur Police Station, Cyberabad District [originally registered as Zero FIR No.0-4 of 2026 of Gachibowli Police Station]. The offences alleged against the petitioner – A2 are under Section 64 r/w Section 62, Section 85 r/w Section 3(5) of the BNS.

2. Heard Sri P.N.Dayakar, learned counsel for the petitioner – A2, Sri D.Arun Kumar learned Additional Public Prosecutor appearing for the respondent No.1 – State and Sri D.Aravind, leaned counsel for respondent No.2 – complainant.

3. Learned counsel for the petitioner submits that petitioner – A2 is falsely implicated in the case and he is aged about 59 years senior citizen, he is a Pastor and respectable members of the community belonging to the Scheduled Caste (Mala) with an unblemished personal record. No written grounds of arrest were furnished to the petitioner – A2 in a language understood by him. The alleged incident is said to have been occurred on or about 20.06.2025 whereas the complaint was lodged only on 19.09.2026 after a period of fifteen [15] months, delay is not explained in the FIR. The allegation of attempt to rape is an afterthought, completely belied by the complainant. Petitioner – A2 is arrested and remanded to judicial custody on 11.10.2026, most of the investigation is completed and prayed to enlarge the petitioner-A2 on bail.

4. Learned Additional Public Prosecutor submits that role played by the petitioner – A2 is clearly depicted in the remand case diary.

5. Respondent No.2 has filed counter and contended that on 20.06.2025 at about 03.00 hours, the petitioner – A2 is in a state of intoxication along with A1-Yemmani Praveen Kumar, criminally

trespassed into the private bedroom where the complainant was sleeping. Petitioner – A2 actively touched the body of the complainant, outraged her modesty and aggressively attempted to strip off her clothes, and pants, while A1 pinned down her hands, both acting in concert with the common intention to commit gang rape on her. When the complainant has resisted the acts of the petitioner - A2 and A1, they violently assaulted her on her face and mouth, inflicting severe blunt force trauma, which caused bleeding injuries to her lips. Petitioner – A2 and A1 forcibly snatched away her mobile phone and switched it off to prevent her from raising an alarm or reaching out to law enforcement agencies. Petitioner – A2 abusing his position of dominance and familial authority repeatedly blackmailed and threatened the complainant that he along with accused No.1 would disclose private bathing videos and intimate material to the public if she dared to resist their demands or disclose the assault. Investigation in Crime No.416 of 2026 is at nascent stage, petitioner – A2 has not made out any case for grant of bail.

6. Learned counsel for respondent No.2 submits that defacto complainant has not married B.Ramesh at any point of time and the contentions raised by the petitioner counsel that the marriage of the complainant with B.Ramesh is subsisting as on the date of registering the complaint is false. Petitioner – A2 has not made out any case for grant of bail.

7. FIR.No.0-4 of 2026 came to be registered before the PS Gachibowli, Cyberabad District on 19.09.2026 for the offence under Section 64 r/w Section 62 of BNS against Yemmani Praveen Kumar, the said FIR is transferred to PS Allapur, Cyberabad District and is numbered as FIR.No.416 of 2026 dated 20.09.2026 against Y.Paveen Kumar – A1, Y.Elisha – A2, Y.Alisha – A3 and Y.Prasanna – A4. In '0' FIR dated 19.09.2026 the reasons for delay in reporting the complaint is stated as delay due to some personal work. It is stated in the complaint that she married Y.Prasanna Kumar on 06.03.2025, after the marriage she stayed in her in-laws house in Lakshmi residency, 4th floor, Borabanda. She was subjected to extreme cruelty by her father in-law [Y.Elisha] and brother in-law [Y.Praveen Kumar] around on 20.06.2025, they have attempted to rape her by removing her pants and she was subjected to force for religious conversion to take Baptism and immediately she was shifted to Maharashtra by her brother in-law Y.Praveen Kumar in a car and made her to switch off her mobile and threatened her stating that if she reveal the things to outside people they will file SC/ST Atrocities Act case on her parents. Then she moved to USA and her husband has tortured her by beating her severely. The offences shown in FIR.No.416 of 2026 of PS Allapur, Cyberabad District are under Section 64 r/w Section 62, Section 85 r/w Section 3(5) of BNS.

8. Complainant – Chinta Pravalika was married to G.Shyam on 08.12.2021, due to disputes they filed HMOP.No.1 of 2024 [13-B of Hindu Marriage Act] and their marriage is dissolved by the learned Senior Civil Judge, Jayashankar Bhupalpally vide order dated 06.05.2024.

9. It is to be noted here that complainant – Chinta Pravalika has lodged a report before Mahila Police Station, Vijayawada City against Banavath Naresh, his mother and brother, basing on the said complaint FIR.No.3 of 2025 came to be registered on 27.01.2025 for the offence under Section 85 of BNS r/w Section 3 and 4 of DP Act against B.Naresh and two others. B.Naresh and two others have filed Crl.P.No.3624 of 2025 before the High Court of Andhra Pradesh, Amaravati under Section 528 of BNSS to quash the FIR No.3 of 2025 of Mahila Police Station, Vijayawada City. During the pendency of the Criminal petition, I.A.Nos.1 and 2 of 2025 came to be filed by the respondent No.2 therein - Chinta Pravalika to record compromise. A joint compromise memo is filed in Crl.P.No.3624 of 2025 wherein it is stated that during pendency of the case matter has been settled between the parties therein and both the parties have decided to dissolve the marriage. Crl.P.No.3624 of 2025 came to be disposed of along with I.A.Nos.1 and 2 of 2025 by the High Court of Andhra Pradesh, Amaravati on 03.04.2025 and proceedings in Crime No.3 of

2025 of Mahila Police Station, Vijayawada City, NTR District against B.Naresh and two others was quashed.

10. In the complaint, complainant stated that she got marriage to Prasanna Kumar on 06.03.2025 which goes to show that her marriage was subsisting with B.Naresh by the date of disposal of Crl.P.No.3624 of 2025 on 03.04.2025.

11. Learned counsel for respondent No.2 was unable to answer the query raised by this Court with regard to the subsistence of marriage of the complainant with B.Naresh as on the date of lodging the complaint.

12. Remand case diary goes to show that A1- Y.Prasanna Kumar, A3-Y.Alisha are shown as absconding. Respondent has altogether examined 13 witnesses in support of the case. It appears from the record that major portion of the investigation is completed, detaining the petitioner – A2 further in judicial custody will not serve the purpose. Hence the petitioner – A2 is entitled to be enlarged on bail on the following conditions:

i. The petitioner – A2 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 concerned Court.
ii. The petitioner – A2 shall appear before the concerned SHO between 10.00 a.m. to 05.00 p.m., on every

Sunday for a period of eight [08] weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter as and when required.

iii. The petitioner – A2 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

iv. The petitioner – A2 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

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

13. Accordingly, Crl.P.No.17241 of 2026 is allowed.

Miscellaneous petition/s, if any, pending shall stand closed.

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B.R.MADHUSUDHAN RAO, J

Date: 05.11.2026
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