

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, NIRMAL

Present:

Sri **A. KARNA KUMAR**

Principal District & Sessions Judge, Nirmal

Monday, this the 12th day of December, 2022

Cr.M.P.No.386 of 2022

in

CrI.M.P.No.385 of 2022

IN

Cr.No.104 OF 2022 of PS Laxmanchanda

Between:

Kunchapu Venkataramana, S/o. Sayanna, Age: 25 years, Caste: Waddera, Occ: Student, R/o. Parpelly village, R/M.Laxmanchanda, Dist. Nirmal.

...Petitioner/Accused No.2

// AND //

State of Telangana through SHO
PS Laxmanchanda.

...Respondent/Complainant

This petition is coming on before me for hearing on today i.e., 12.12.2022 in the presence of Sri. K. Srikishan & S.Janardhan Reddy, Advocates for petitioner/accused No.2 and of Sri. K. Vinod Rao, Additional Public Prosecutor, for respondent/complainant and on hearing both sides, this court made the following:

:: O R D E R ::

This is a Interim bail petition filed U/Sec.439 of Cr.P.C. to enlarge the petitioner/accused No.2 on bail from 12.12.2022 to 16.12.2022 in Cr.No.104/2022 of P.S. Laxmanchanda for the offence U/Sec.302 r/w 34 of IPC pending disposal of main bail petition CrI.M.P.No.385/2022.

02. Notice given to the learned Additional Public Prosecutor who opposed bail. The respondent/complainant filed counter opposing bail.

03. Heard arguments of both sides.

04. Now the point for consideration is:

“Whether the petitioner/accused No.2 is entitled for interim bail as prayed for”?

P O I N T:

05. The brief facts of the prosecution case are that on 24.11.2022 at about 17.30 hours the petitioner/accused No.2 along with A1, A3 and CCL committed murder of deceased Shivarathri Mahesh by beating him indiscriminately with hands, kicking him with legs and pressing his throat due to land dispute with the LWs.1 & 2 and also caught hold LW2 and threatened LW1 & 2 with betel nut scissor.

06. The learned counsel for the petitioner/accused No.2 has contended that the petitioner/accused No.2 has to attend Physical measurement and physical efficiency test at Adilabad on 14.12.2022. Therefore, prayed to release the petitioner/accused No.2 on interim bail from 12.12.2022 to 16.12.2022.

07. On the other hand, the learned Additional Public Prosecutor opposed bail, on the ground that if the petitioner/accused No.2 released on interim bail he may abscond and he may leave the country and he may go to Arab countries.

08. Perused case diary, which reveals that the petitioner/accused No.2 along with other 3 accused have murdered the

deceased Shivarathri Mahesh due to land dispute. CD file further reveals that the offence alleged against petitioner/accused No.2 is grave in nature. There are specific overt-acts against the petitioner/accused No.2. Investigation in this case at initial stage. If the petitioner/accused No.2 released on interim bail he may abscond or he may leave from the country or he may threaten the witnesses or tamper the evidence. Under the above circumstances, this Court is not inclined to grant interim bail to the petitioner/accused No.2 who was involved in grave offence U/Sec.302 of IPC punishable with death or life imprisonment. Accordingly, the petition is liable to be dismissed.

09. In the result, the petition is dismissed.

Dictated to the stenographer, transcribed by him and after correction pronounced by me in open Court on this the 12th day of December, 2022.

**PRL. DISTRICT & SESSIONS JUDGE
NIRMAL**

Copy to:
The Station House Officer, P.S. Laxmanchanda.