

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

AND

THE HONOURABLE JUSTICE B.R.MADHUSUDHAN RAO

I.A.No. 1 OF 2026

IN

CRLA NO: 15 OF 2022

Between

1. Konkati Arun, S/o Late Rajaiah
2. Konkati Anil, S/o Late Rajaiah

...Petitioners/A1 & 2

(Appellants in CRLA NO: 15 OF 2022
on the file of High Court)

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana.

...Respondent

(Respondent in-do-)

Counsel for the Petitioner: SRI P PRABHAKAR REDDY

**Counsel for the Respondent: SRI SYED YASAR MAMOON, ADDL. PUBLIC
PROSECUTOR**

Application under Section 430(1) of B.N.S.S. praying that in the circumstances stated in the Interim Bail Application, the High Court may be to suspend the execution of sentence passed in S.C.No.218 of 2018 dated 03.12.2021 on the file the IX Additional District and Sessions Judge at Sircilla and to release the petitioners on bail;

The Court made the following

ORDER:

Heard Mr.P.Prabhakar Reddy, learned counsel for the petitioners/accused Nos.1 and 2 and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent – State.

Petitioners herein are accused Nos.1 and 2 in S.C.No.218 of 2018 on the file of the learned IX Additional District and Sessions Judge, Sircilla. *Vide* the impugned Judgment dated 03.12.2021, the learned trial Court convicted the petitioners herein for the offences punishable under Sections 302, 307 and 506(II) read with Section 34 of the IPC and sentenced them to undergo life imprisonment.

According to the prosecution, there are property disputes between the petitioners and both the deceased.

Learned counsel for the petitioners would contend that PW.2 is not an eye-witness and she is a planted witness. Prosecution has not examined LW.2 – Smt.Konkati Yellavva and LW.16- Ragati Narsaiah. According to the prosecution, both the deceased and PW.2 were shifted to Government Hospital, Karimnagar. But, they have not filed any proof to show that PW.2 has taken any treatment in the Government Hospital, Karimnagar. She has taken treatment in a private hospital. Though incident was taken place on 22.06.2017, PW.11 - Doctor treated PW.2 on 23.06.2017. According to PW.2, PW.1 has taken her to hospital for treatment on 22.06.2017. Therefore, the same is not believable. Petitioner No.1/accused No.1 is suffering from mental illness. On the said ground, petitioners seek bail to both of them.

Whereas, learned Additional Public Prosecutor would contend that it is a double murder case and PW.2 is an eye-witness. PW.4 is the Sarpanch of the village and he along with the villagers shifted dead bodies of both the deceased and PW.2 to the Government Hospital, Karimnagar. On consideration of the said aspects, only learned trial Court convicted the petitioners and sentenced them to undergo life imprisonment. ✓

As rightly contended by the learned Additional Public Prosecutor, PW.2 is an eye-witness and she is the wife of deceased No.2. She has specifically spoken about the entire incident. PW.4 – Sarpanch deposed that when he came to know about the incident, he along with the villagers went to the scene of offence and shifted dead bodies of both the deceased and PW.2 to the Government Hospital,

Karimnagar. There are land disputes between the petitioners and the deceased and a panchayat was held and a suit was also pending.

PW.11 – Doctor, who treated PW.2, issued Ex.P.17 wound certificate. According to him, PW.2 received grievous injuries. M.Os.3 and 4 were recovered at the instance of the petitioners in the presence of PW.8. PW.10 – Doctor, who conducted autopsy over the dead bodies of both the deceased, issued Exs.P.13 and 14 post-mortem examination reports.

There are specific overt acts against the petitioners. The offences committed by them are serious and grave in nature. It is a double murder case

While deciding bail application, this Court cannot analyze the evidence of prosecution witnesses as held by the Apex Court in Omprakash Sahni v. Jai Shankar Chaudhary [(2023) 6 SCC 123] and the same was reiterated in Rajesh Upadhyay v. The State of Bihar [2025 INSC 1468].

Earlier, *vide* order dated 20.01.2022 in I.A.No.1 of 2022, this Court dismissed the bail application filed by the petitioners. There is no change of circumstances, more particularly, substantial change of circumstances from the date of earlier bail application to till date.

In the light of the aforesaid discussion, we are not inclined to grant bail to the petitioners/accused Nos.1 and 2. Accordingly, this petition is liable to be dismissed and accordingly, it is dismissed. However, liberty is granted to petitioner No.1/accused No.1 to seek interim bail by producing appropriate certificate.

Sd/- **B. REKHA RANI** *B*
ASSISTANT REGISTRAR

//TRUE COPY//

B
SECTION OFFICER

To,

1. The IX Additional District and Sessions Judge at Sircilla.
2. The Superintendent, Central Prison, Cherlapalli, Medchal-Malkajgiri.
3. The Station House Officer, Police Station Ellanthakunta, Dist. Rajanna Sircilla.

4. One CC to Sri. P PRABHAKAR REDDY, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
6. One spare copy



HIGH COURT

**KL, J
&
BRMR, J**

DATED:20.04.2026

LIST ON 24.06.2026

ORDER

✓

**I.A.No. 1 OF 2026
IN
CRLA NO: 15 OF 2022**

DISMISSING THE I.A.

