

[3494]

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
SATURDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN
AND
THE HONOURABLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

IA No. 1 OF 2025 IN CRLA NO: 311 OF 2025
IA No. 1 OF 2025 IN CRLA NO: 264 OF 2025
IA No. 1 OF 2025 IN CRLA NO: 284 OF 2025
IA No. 1 OF 2025 IN CRLA NO: 318 OF 2025
IA No. 1 OF 2025 IN CRLA NO: 329 OF 2025
IA No. 1 OF 2025 IN CRLA NO: 330 OF 2025
IA No. 2 OF 2025 IN CRLA NO: 333 OF 2025
IA No. 2 OF 2025 IN CRLA NO: 340 OF 2025
IA No. 2 OF 2025 IN CRLA NO: 345 OF 2025
IA No. 1 OF 2025 IN CRLA NO: 352 OF 2025
IA No. 1 OF 2025 IN CRLA NO: 361 OF 2025
IA No. 1 OF 2025 IN CRLA NO: 362 OF 2025 &
IA No. 1 OF 2025 IN CRLA NO: 363 OF 2025

IA No. 1 OF 2025 IN CRLA NO: 311 OF 2025

Between:

1. Panduga Ramulu, S/o Ramaswamy, Age. 50 years, Cast. Yadav, Occ. Agriculture, Azeempet (v) of Addagudur (m) Nalgonda (d) TG
2. Panduga Mallesh, S/o Chinna Ramulu, Age. 25 years, Caste. Yadav, Occ. Student, R/o. Azeempet (v) of Addagudur (m) Nalgonda (d) TG
3. Panduga Sathish, S/o Chinnaramulu, Age. 21 years, Occ. Student, R/o. Azeempet (v) of Addagudur (m) Nalgonda (d) TG

Appellant/A3, A4, A10

AND

The State of Telangana, Rep by its Public Prosecutor, High Court at
Hyderabad.

...Respondent

Counsel for the Petitioners :C SUNIL ANAND

Counsel for the Respondent :PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to suspend the sentence passed vide SC No. 45 of 2018 dated 18-02-2025 by COURT OF THE SPECIAL SESSIONS JUDGE FOR TRIAL OF SC/ST (POA)

ACT CASES CUM II ADDITIONAL DISTRICT AND SESSIONS JUDGE AT NALGONDA, Convicting the Accused pending disposal of the above criminal appeal and release all the accused on bail on such terms and conditions as this court may deem fit and proper in the interest of justice, pending disposal of CRLA No. 311 of 2025, on the file of the High Court.

IA.NO. 1 OF 2025 IN CRLA NO: 264 OF 2025

Between:

Poleboina Lingaiah, S/o. Illaiah, Aged . 40 years. Occ. Sarpanch, R/o. Azeempet Village, Addagudur Mandal, Nalgonda District.

...Petitioner/Appellant

AND

The State of Telangana, rep. by P.P. High Court for the State of Telangana at Hyderabad.

...Respondent/Complainant

Counsel for the Petitioner : SRI P PRABHAKAR REDDY

Counsel for the Respondent : PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition the High Court may be pleased to suspend the execution of sentence passed in S.C.No.45 of 2018 dated 18-02-2025 on the file of the Court of The Special Sessions Judge for Trial of SCs/STs (POA) Act Cases-cum- II Additional District and Sessions Judge at Nalgonda and to release the petitioner on bail pending Criminal Appeal, pending disposal of CRLA No. 264 of 2025, on the file of the High Court.

IA No. 1 OF 2025 IN CRLA NO: 284 OF 2025

Between:

Panduga Srikanth, S/o Panduga Kishtaiah, Aged about 50 years, Occ- Agriculture, R/o H. No. 90-3-90/1, Azimpet Village of Addagudur Mandal, Yadadri Bhongir District

Appellant

AND

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

...Respondent/Complainant

Counsel for the Petitioner : SRI CHALAKANI VENKAT YADAV

Counsel for the Respondent : PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to suspend the sentence in S.C. No.45 of 2018 dated 18/02/2025 on the file of The Special Sessions Judge for Trial of SCs/ STS (POA) Act Cases-cum- II Additional District and Sessions Judge at Nalgonda and grant bail to the petitioner/A-9 in Criminal Appeal, pending disposal of CRLA No. 284 of 2025, on the file of the High Court.

IA No. 1 OF 2025 IN CRLA NO: 318 OF 2025

Between:

1. Panduga Ramaswamy, S/o. Rajamallu, Aged 28 years, Occ Student, R/o. Azeempet Village, Addagudur Mandal, Nalgonda District.
2. Panduga Sailu, S/o. Ramaswamy, Age 47 years, Occ Agriculture, R/o. Azeempet Village, Addagudur Mandal, Nalgonda District.

Appellants/Accused-1 & 2

AND

State of Telangana,, rep. by P.P. High Court for the State of Telangana at Hyderabad.

...Respondent/Complainant

Counsel for the Petitioner :SRI P PRABHAKAR REDDY

Counsel for the Respondent :PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to suspend the execution of sentence passed in S.C No 45 of 2018 dated 18/02/2025 on the file of the court of The Special Sessions Judge for Trial of SCs/STs (POA) Act cases cum II Additional District and Sessions Judge at Nalgonda and to release the petitioners/A1 and A2 on bail pending criminal Appeal, pending disposal of CRLA No. 318 of 2025, on the file of the High Court.

IA No. 1 OF 2025 IN CRLA NO: 329 OF 2025

Between:

PANDUGA SRINU, S/o Pedda Pichaiah, Aged 30 years, Occ- Agriculture, R/o Azeempet Village, Addagudur Mandal, Nalgonda District

...Petitioner

AND

1. The State of Telangana, Rep.by its Public Prosecutor, High Court at Hyderabad, For the State of Telangana
2. Batta Venkanna, S/o Lingaiah, Aged 29 years, Occ- Labour, R/o Azeempet Village of Addagudur Mandal, Nalgonda District.

...Respondents/Complainant

Counsel for the Petitioner : SRI PULIMAMIDI SHASHIDHAR REDDY
Counsel for the Respondent No.1 :PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to suspend the execution of judgment and sentence dated 18/02/2025 in S.C.No. 45 of 2013 passed by the learned Special Sessions Judge for Trial of SCs/STs (POA) Act Cases cum II Additional District and Sessions Judge at Nalgonda, by granting bail to the petitioner, pending disposal of CRLA No. 329 of 2025, on the file of the High Court.

IA No. 1 OF 2025 IN CRLA NO: 330 OF 2025

Between:

1. Bandagorla Valaraju, S/o Mallaiah, Aged about 35 years, Occ. Agriculture, R/o Azimpet Village of Addagudur Mandal, Yadadri Bhongir District.
2. Panduga Narsaiah, S/o Rama Swamy, Aged about 50 years, Occ. Agriculture, R/o Azimpet Village of AddagudurMandal, Yadadri Bhongir District.

Appellants/Accused No. 5 and 11

AND

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

...Respondent/Complainant

Counsel for the Petitioners : SRI CHALAKANI VENKAT YADAV
Counsel for the Respondent :PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to suspend the sentence in S.C. No.45 of 2018 dated 18-02-2025 on the file of The Special Sessions Judge for Trial of SCs/ STS (POA) Act Cases-cum- II Additional District and Sessions Judge at Nalgonda and grant bail to the petitioners/Accused. No. 5 and 11 in Criminal Appeal, pending disposal of CRLA No. 330 of 2025, on the file of the High Court.

IA No. 2 OF 2025 IN CRLA NO: 333 OF 2025

Between:

Panduga Mallaiah, S/o Pedda Pichaiah, Aged 40 years, Occ Agriculture, R/o Azeempet Village, Addagudur Mandal, Nalgonda District

...Petitioner

AND

1. The State of Telangana, Rep.by its Public Prosecutor, High Court at Hyderabad. For the State of Telangana

2. Batta Venkanna, S/o Lingaiah, Aged 29 years, Occ Labour, R/o Azeempet Village of Addagudur Mandal, Nalgonda District.

...Respondent/Complainant

Counsel for the Petitioner : SRI PULIMAMIDI SHASHIDHAR REDDY

Counsel for the Respondent No.1:PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to suspend the execution of judgment and sentence dated 18-02-2025 in S.C.No. 45 of 2018 passed by the learned Special Sessions Judge for Trial of SCs/ STs (POA) Act Cases cum II Additional District and Sessions Judge at Nalgonda, by granting bail to the petitioner/A15, pending disposal of CRLA No. 333 of 2025, on the file of the High Court.

IA No. 2 OF 2025 IN CRLA NO: 340 OF 2025

Between:

Panduga Lingaiah, S/o Pedda Pichaiah, Aged 35 years, Occ. Agriculture, R/o Azeempet Village, Addagudur Mandal, Nalgonda District

...Petitioner/Appellant

AND

1. The State of Telangana, Rep.by its Public Prosecutor, High Court at Hyderabad, For the State of Telangana.
2. Batta Venkanna, S/o Lingaiah, Aged 29 years, Occ. Labour, R/o Azeempet Village of Addagudur Mandal, Nalgonda District.

...Respondents/Complainant

Counsel for the Petitioner :PULIMAMIDI SHASHIDHAR REDDY

Counsel for the Respondent No.1:PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to suspend the execution of judgment and sentence dated 18-02-2025 in S.C.No. 45 of 2018 passed by the learned Special Sessions Judge for Trial of SCs/STs (POA) Act Cases cum II Additional District and Sessions Judge at Nalgonda, by granting bail to the petitioner, pending disposal of the above Crl.A., pending disposal of CRLA No. 340 of 2025, on the file of the High Court.

IA No. 2 OF 2025 IN CRLA NO: 345 OF 2025

Between:

Bandagorla Nagamma, W/o Valaraju, Aged about 30 years, Occ- Agriculture, R/o Azimpet Village of AddagudurMandal, YadadriBhongir District.

Appellant/Accused No.13

AND

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

...Respondent/Complainant

Counsel for the Petitioner : SRI CHALAKANI VENKAT YADAV
Counsel for the Respondent : PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to suspend the sentence in S.C. No.45 of 2018 dated 18/02/2025 on the file of The Special Sessions Judge for Trial of SCs/ STS (POA) Act Cases- cum- II Additional District and Sessions Judge at Nalgonda and grant bail to the petitioner/Accused. No. 13 in Criminal Appeal, pending disposal of CRLA No. 345 of 2025, on the file of the High Court.

IA No. 1 OF 2025 IN CRLA NO: 352 OF 2025

Between:

Panduga Satyanarayana, S/o.Pitchaiah Aged about 40 years, occ.Agriculture
(Detenue)/ R/o.Azeempet Village of Addaguduru Mandal, Yadadri Bhongir
District.

Appellant/Accused No.12

AND

The State of Telangana, Rep, by Public Prosecutor, High Court of Telangana
at Hyderabad

...Respondent/Complainant

Counsel for the Petitioner : SRI D Y L N CHARYULU
Counsel for the Respondent : PUBLIC PROSECUTOR

Petition under Section 430 (1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to enlarge the petitioner on bail by suspending the Imprisonment of sentence passed on 18.02.2025, in S.C.No.45/2018 on the file Of Special Sessions Judge for Trial of SC's/ST's (POA) Act cases cum II Additional District and Sessions judge at Nalgonda, pending disposal of CRLA No. 352 of 2025, on the file of the High Court.

IA No. 1 OF 2025 IN CRLA NO: 361 OF 2025

Between:

Jakkula Lachaiah, S/o Bakkaiah ,Age 38 years , Occ Agriculture, R/o Azeempet
(v) of Addagudur (m)

Accused /Appellant

AND

The State of Telangana, rep. by its Public Prosecutor. High court of
Telangana at Hyderabad

...Respondent/Complainant

Counsel for the Petitioner : SRI C RAKEE SRIDHARAN

Counsel for the Respondent : PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to suspend the sentence in S.C.NO.45 /2018 18-02-2025, on the file of the Hon'ble Special Sessions Judge For Trial Of SCs/ STs (POA) Act Cum II Additional District And Sessions Ridge At Nalgonda and grant bail to the petitioner A-17 in criminal appeal, pending disposal of CRLA No. 361 of 2025, on the file of the High Court.

IA No. 1 OF 2025 IN CRLA NO: 362 OF 2025

Between:

Jakkula Ramesh, S/o Bixam, Age . 42 years , caste Yadav , Occ . Agriculture
, Student R/o . Azeempet (v) of Addagudur (m)

Accused/Appellant

AND

The State Of Telangana, rep. by its Public Prosecutor.

...Respondent/Complainant

Counsel for the Petitioner : SRI C RAKEE SRIDHARAN

Counsel for the Respondent : PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to enlarge the petitioner on bail in SC.No. 45/2018 , dated 18-02-2025, on

file of The Court Of The Hon'ble Special Sessions Judge For Trial Of SCs/ STs (POA) Act Cum II Additional District And Sessions Judge At Nalgonda and grant bail to the petitioner in Criminal Appeal, pending disposal of CRLA No. 362 of 2025, on the file of the High Court.

IA No. 1 OF 2025 IN CRLA NO: 363 OF 2025

Between:

Panduga Yadaiah, S/o Lanchaiah, Age. 50 years. Cast. Yadav, Occ. Agriculture, Azeempet (v) of Addagudur (m) Nalgonda (d) TG

Appellant/A6

AND

The State of Telangana, Rep by its Public Prosecutor, High Court at Hyderabad.

...Respondent/Complainant

Counsel for the Petitioner : SRI C SUNIL ANAND

Counsel for the Respondent :PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to suspend the sentence passed vide SC No. 45 of 2018 dated 18-02-2025 by COURT OF THE SPECIAL SESSIONS JUDGE FOR TRIAL OF SC/ST (POA) ACT CASES CUM II ADDITIONAL DISTRICT AND SESSIONS JUDGE AT NALGONDA, Convicting the Accused pending disposal of the above criminal appeal and release all the accused with bail on such terms and conditions as this Hon'ble court may deem fit and proper in the interest of justice. pending disposal of CRLA No. 363 of 2025, on the file of the High Court.

The Court made the following.

ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

AND

HON'BLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

I.A. No.1 OF 2025 IN CRIMINAL APPEAL No.311 OF 2025,

I.A. No.1 OF 2025 IN CRIMINAL APPEAL No.264 OF 2025,

I.A. No.1 OF 2025 IN CRIMINAL APPEAL No.284 OF 2025,

I.A. No.1 OF 2025 IN CRIMINAL APPEAL No.318 OF 2025,

I.A. No.1 OF 2025 IN CRIMINAL APPEAL No.329 OF 2025,

I.A. No.1 OF 2025 IN CRIMINAL APPEAL No.330 OF 2025,

I.A. No.2 OF 2025 IN CRIMINAL APPEAL No.333 OF 2025,

I.A. No.2 OF 2025 IN CRIMINAL APPEAL No.340 OF 2025,

I.A. No.2 OF 2025 IN CRIMINAL APPEAL No.345 OF 2025,

I.A. No.1 OF 2025 IN CRIMINAL APPEAL No.352 OF 2025,

I.A. No.1 OF 2025 IN CRIMINAL APPEAL No.361 OF 2025,

I.A. No.1 OF 2025 IN CRIMINAL APPEAL No.362 OF 2025 &

I.A. No.1 OF 2025 IN CRIMINAL APPEAL No.363 OF 2025

COMMON ORDER: (Per Hon'ble Sri Justice K. Lakshman)

Heard Mr. C. Pratap Reddy, learned Senior Counsel representing Mr. C. Sunil Anand, learned counsel for the petitioner - appellant in Crl.A. Nos.311 & 363 of 2025, Mr. P. Prabhakar Reddy,

learned counsel for the petitioner - appellant in CrI.A. Nos.264 & 318 of 2025, Mr. Chalakani Venkat Yadav, learned counsel for the petitioner - appellant in CrI.A. Nos.284, 330 & 345 of 2025, Mr. Pulimamidi Shashidhar Reddy, learned counsel for the petitioner - appellant in CrI.A. Nos.329, 333 & 340 of 2025, Ms Ramya, learned counsel representing Mr. C. Rakee Sridharan, learned counsel for the petitioner - appellant in CrI.A. Nos.361 & 362 of 2025 and Mr. D.Y.L.N. Charyulu, learned counsel for the petitioner - appellant in CrI.A. No.352 of 2025, and also Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent.

2. All these applications are filed by the respective petitioners - accused to grant bail. *Vide* impugned judgment dated 18.02.2025 in S.C. No.45 of 2018, learned Special Sessions Judge for Trial of the Scheduled Casts and the Scheduled Tribes (Prevention of Atrocities) Act Cases - cum - II Additional District and Sessions Judge at Nalgonda, convicted the petitioners herein - accused Nos.1 to 7 and 9 to 17 for the offences under Sections - 143, 147 & 302 read with 149 of IPC and Section - 3 (1) (r) and 3 (2) (v) of the Scheduled Casts and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (for short 'Act, 2015'), while convicted the petitioner - accused

No.18 for the offences under Sections - 109, 302, 143 & 147 of IPC and Section - 3 (1) (r) (s) and 3 (2) (v) of the Act, 2015, and accordingly imposed life imprisonment and other imprisonment on her. Challenging the said conviction and sentences of imprisonment, the petitioners filed the aforesaid appeals. The petitioners herein are arraigned as accused Nos.1 to 7 and 9 to 18. During pendency of the proceedings before the trial Court, the case against accused No.8 stood abated.

3. Learned counsel for the respective petitioners would submit that the incident took place on spur of moment and, therefore, there was no preplanned. As such, the offence under section 302 read with 149 of IPC does not at all attract. There are no specific overt acts attributed against the petitioners. The allegations made against the petitioners are *omnibus* in nature.

4. They would further submit that as per evidence of PWs.1 to 7, after accused No.1 beat the deceased, he fell down on the ground and then all the remaining accused kicked the deceased, whereas, as per the evidence of PW.12, the doctor, who conducted autopsy over the dead body of the deceased, ten ante-mortem injuries were found in

the dead body. During cross-examination, he specifically stated that all such injuries are possible while the person was in a standing position. In the light of the same, the evidence of said prosecution witnesses is not trustworthy. There are several improvements and inconsistencies in the evidence of prosecution witnesses. Without considering all the said aspects, the trial Court convicted the petitioners for the aforesaid offences. There are good grounds to succeed in the appeals. The petitioners herein are in jail from 18.02.2025. Therefore, learned counsel sought to grant bail to the petitioners by suspending the sentence of imprisonment imposed on them.

5. Whereas, learned Additional Public Prosecutor would submit that there are serious allegations against the petitioners herein. Having considered all the said aspects only, the trial Court recorded conviction and imposed the sentences of imprisonment in the manner stated above. The omissions and contractions, if any, occurring in the prosecution witnesses, the same are minor in nature and cannot tilt the case of prosecution. The evidence of witnesses cannot be analyzed while considering bail application as held by the Apex Court in

Omprakash Sahni v. Jai Shankar Chaudhary¹. In the light of the same, if bail is granted to the petitioners herein, it is difficult to secure their presence to hear the appeals. Therefore, he sought to dismiss the bail applications.

6. In the light of the aforesaid rival submissions, perusal of record would reveal that the prosecution has examined PWs.1 to 13 on its behalf before the trial Court. Accused No.18 was the *Sarpanch* of the Village at the relevant point of time, he instigated other accused to attack the deceased due to which, the deceased died. There were disputes between the deceased and the accused in connection with one Mr. Rajamallu's death. According to the accused, the deceased was responsible for Rajamallu committing suicide. There was political rivalry between the two groups i.e., the deceased and the accused as both of them belong to different political parties.

7. In the case on hand, PW.1 and PW.3 are the son and daughter of the deceased, while PW.2 is the wife. PWs.4 and 5 are their relatives. All of them specifically spoken in their chief-examination with regard to commission offence by the accused.

¹. (2023) 6 SCC 123

8. As per their evidence and case of prosecution, on 30.09.2017, they along with the deceased went to *Jammi Tree* to perform Pooja on the eve of *Dussehra* festival and while returning, accused No.18 being the *Sarpanch* of their village instigated all the accused to kill the deceased. Then, accused No.1 beat the deceased on his head and fell down on the ground. The remaining accused started kicking and giving fist blows on the deceased. As a result, the deceased received injuries on his face, ear and blood was oozing from his nose and also received fracture injuries on his chest, which is evidenced by the medical evidence through PW.12 the doctor, who conducted autopsy over the dead body of the deceased.

9. Mr. P. Prabhakar Reddy, learned counsel, submitted that there was no charge for the offence under Section - 149 of IPC, and even then, the trial Court convicted the accused for the said offence. Perusal of charge and the judgment of the trial Court would reveal that the trial Court did not frame any charge for the offence under Section - 149 of IPC against accused No.18 and even the trial Court also did not convict him for the said offence.

10. As far as accused No.13 is concerned, learned counsel would submit that she is a woman, aged about 30 years. There is no

evidence against her and she is not in a position to attend her day-to-day activities. Therefore, he sought to grant bail to her.

11. Perusal of record, more particularly the evidence of PWs.1, 2, 3 and 7 would reveal that PW.1, son of the deceased, in his deposition, stated that when his brother was trying to take photographs, accused No.9 snatched away mobile phone of his brother, while accused No.13 snatched away *pusthelathadu* from his sister. PW.2, the wife of the deceased, also deposed that accused No.1 beat her husband on his neck and he fell down on the ground in prone position. Then, accused Nos.2 to 17 kicked her husband. Then, her daughter stopped the accused by lying on her husband. Accused No.13 snatched away the *pusthelathadu* from her daughter and did not give to her even after repeated request. Thereafter, accused No.13 lifted her husband and declared that he died.

12. PW.3, daughter of the deceased, deposed that accused Nos.3 to 17 started kicking her father. In order to rescue her father from the accused, she laid down on her father. Accused No.13 pulled her by holding her tuft of hair. PW.7, the relative of the deceased, deposed that all the accused beat the deceased and kicked him. The accused abused PW.3 and pulled away from her father. One of the

accused jumped on the body of deceased as a result blood oozed from the ears and mouth of the deceased. Thereafter, accused No.13 said that '*Lanjakoduku chachipoinda*' and declared that the deceased died. Thus, *prima facie*, there is also specific evidence against accused No.13. Even her husband is also one of the accused in this case i.e., accused No.5.

13. It is apt to note that though learned counsel appearing for accused No.13 submitted that accused No.13 is not in a position to attend her day-to-day activities, he has not filed any document including medical record/treatment particulars of accused No.13. On the other hand, learned Additional Public Prosecutor, on instructions, submitted that the contention of accused No.13 is false and she is taking care of all her day-to-day activities on her own. However, on the said ground without filing any proof, she cannot seek regular bail. She can seek *interim* bail by filing medical record in support of her contention.

14. Except PW.10, who turned hostile, all the prosecution witnesses deposed with regard to the commission of offence by the accused. It is settled law that evidence of hostile witness also can be relied upon to the extent which supports the prosecution version. The

contentions of petitioners that none of the eye witnesses stated that the accused were armed with any deadly weapons; that there were 1000 to 1200 persons participated in the *Jammi Pooja* from different villages and, therefore, it is difficult for PWs.1 to 8 to identify accused Nos.1 to 17 and that accused No.18 except giving signal, he has not committed any offence etc., can be considered at the time of final hearing of appeal. While considering bail application, evidence of prosecution witnesses cannot be analyzed as held by the Apex Court in **Omprakash Sahni¹**.

15. As discussed supra, *prima facie*, there are specific overt acts against the petitioners with regard to commission of offence said to have committed by them. Considering all the aforesaid aspects, we are not inclined to grant bail to the petitioners herein.

All these bail applications are accordingly dismissed.

Ravi B
SD/- REKHA RANI BALAGANI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Special Sessions Judge for Trial of SCs/STs (POA) Act –cum-II Additional District and Sessions Judge at Nalgonda
2. The Superintendent, Central Prison Cherlapally, Medchal Malkajgiri District.
3. The Superintendent, Central Prison Chanchalguda, Hyderabad.
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. One CC to SRI. C SUNIL ANAND Advocate [OPUC]
6. One CC to SRI P PRABHAKAR REDDY Advocate [OPUC]
7. One CC to SRI CHALAKANI VENKAT YADAV Advocate [OPUC]
8. One CC to SRI PULIMAMIDI SHASHIDHAR REDDY Advocate [OPUC]
9. One CC to SRI D Y L N CHARYULU Advocate [OPUC]

HIGH COURT

KLJ
&
VRKRJ

DATED:25/10/2025

ORDER



IA No. 1 OF 2025 IN CRLA NO: 311 OF 2025
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IA No. 1 OF 2025 IN CRLA NO: 363 OF 2025

DISMISSED