

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE: CrI.A.No.584 of 2025

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
06.	27.04.2026	<u>KL, J & BRMR, J</u> <u>I.A.No.1 of 2025</u> Heard Mr.Bethi Venkateswarlu, learned counsel for the petitioner/accused No.6 and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent – State. Petitioner herein is accused No.6 in S.C.No.301 of 2021 on the file of the learned Principal District and Sessions Judge, Bhadradi Kothagudem. <i>Vide</i> the impugned Judgment dated 01.05.2025, the learned trial Court convicted the petitioner herein for the offences punishable under Sections 143, 147, 449, 302, 307 and 120B read with Section 149 of IPC and sentenced him to undergo life imprisonment. Learned counsel for the petitioner would contend that PW.1, wife of the deceased, deposed that there are no disputes between petitioner and the deceased. There is no motive to the petitioner. Prosecution has failed to prove the role played by the petitioner in the commission of offence. Basing on the confession of the petitioner, learned trial Court can't convict the petitioner in the present case. Petitioner is in jail from 01.05.2025. Petitioner knows accused No.1 except that	

	nothing against him. Whereas, learned Additional Public Prosecutor would contend that it is a murder for gain. Accused No.1 paid an amount of Rs.40,000/- to the petitioner out of the demanded amount of Rs.60,000/-. Perusal of record would reveal that there are disputes between accused Nos.1, 4 and the deceased and both of them, decided to do away the life of the deceased. Accused Nos.2, 3 and 5 are the residents of Chhattisgarh State. Accused Nos.1, 4 and other accused approached the petitioner/accused No.6, who demanded an amount of Rs.60,000/- but the amount was settled for Rs.40,000/-. PW.11 is the panch witness for recovery of M.Os.3 to 5 (knife, knife and axe). Test Identification Parade was also conducted. Basing on the evidence, both oral and documentary, learned trial Court convicted the petitioner for the aforesaid offences and sentenced him to undergo life imprisonment. As rightly contended by the learned Additional Public Prosecutor, it is a murder for gain. <i>Prima facie</i>, there are specific overt acts against the petitioner and he had taken Rs.40,000/- to do away the life of the deceased. 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	
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same was reiterated in **Rajesh Upadhayay v. The State of Bihar [2025 INSC 1468]**.

In the light of the aforesaid discussion, we are not inclined to grant bail to the petitioner/accused No.6. Accordingly, this petition is liable to be dismissed and accordingly, it is dismissed.

KL, J

BRMR, J

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List on 22.07.2026.

B/o.
Ynk