

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE TWENTY NINTH DAY OF DECEMBER ✓

TWO THOUSAND AND TWENTY FIVE ✓

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN ✓

AND

THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA ✓

IA No. 2 OF 2025 ✓

IN

CRLA NO: 764 OF 2025 ✓

Between:

Gangula Srinivas @ DJ Seenu, S/o Vittal, Age 47 years, Occ: DJ Sound Operator,
R/o H.No.2-4-4, Sathelli Base, Yellareddy Mandal, Kamareddy District

...Petitioner/Appellant ✓
(Appellant in CRLA 764 OF 2025
on the file of High Court)

AND

The State of Telangana, Represented by its Public Prosecutor, High Court of
Telangana, Through Circle Inspector of Police, Yellareddy

...Respondent/Respondent
(Respondents in-do-)

Counsel for the Petitioner :Sri NYSHADHAM CHANDRA SEKHAR

**Counsel for the Respondent :Sri Syed Yasar Mamoon, Additional 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 in judgment dated 27/12/2024 passed in S.C.No.18 OF 2023 on the file of the Court of the Principal District and Sessions Judge, Kamareddy and enlarge the petitioner/appellant on bail, Pending disposal of CRLA No. 764 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of above mentioned counsel, the court made the following

ORDER:

Heard Sri N.Chandra Sekhar, learned counsel for the petitioner-accused, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

The petitioner is the sole accused in S.C.No.18 of 2023. *Vide* impugned judgment dated 27.12.2024, learned Principal District and Sessions Judge, Kamareddy, convicted the petitioner for the offences under Sections 302 and 380 of IPC and sentenced him to undergo life imprisonment.

Both the deceased and the petitioner belong to the same village. Petitioner committed murder of the deceased and committed theft of M.O.1 and M.O.2 i.e., gold pusthela thadu and gold gundlu (in the form of chain).

It is the contention of the petitioner herein that there is no eye witness or direct evidence to the incident. None of them have seen the deceased and petitioner lastly. None of the witnesses identified M.O.1 and M.O.2. Even as per the charge sheet, deceased was wearing two ear studs. None of the witnesses stated that deceased was wearing M.O.1 and M.O.2, at the time of alleged incident. Learned trial Court has to see all the circumstances relied upon by the prosecution as to form complete chain. In the present case, there is break of chain. Petitioner was not present at the scene of offence. He has participated in the funeral of one Battula Narsavva. Without considering the same, the learned trial Court convicted the petitioner and imposed life imprisonment.

Whereas, learned Additional Public Prosecutor contended that though there is no direct evidence, the circumstances relied upon by the prosecution formed a complete chain. On consideration of the same only, the learned trial Court convicted the petitioner.

Perusal of record would reveal that M.O.1 and M.O.2 were recovered from the petitioner. In Paragraph No.38 of the impugned judgment, the learned trial Court gave a specific finding with regard to keeping of M.O.1 and M.O.2 secretly in his old shoe inside his house by the side of main door by the petitioner herein. The said place is not a public place and it is only known to the petitioner. There is also finding with regard to the confession of the petitioner leading to recovery of M.O.1 and M.O.2. Thus, though there is no direct evidence and the entire case is based on the circumstantial evidence, the circumstances relied upon by the prosecution formed a complete chain. *Prima facie*, there were serious allegations against the petitioner herein. It is a murder.

In the charge sheet, there is reference to involvement of the petitioner in Crime No.221 of 2021 for the offences under Sections 354(c), 448 and 506 of IPC, pending on the file of Yellareddy Police Station. However, learned Additional Public Prosecutor could not get the instructions on the same. The said aspects can be considered at the time of hearing of the appeal finally.

In the light of the aforesaid discussion, we are not inclined to grant bail to the petitioner. Therefore, this application is liable to be dismissed and accordingly, it is dismissed.

P.C. SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal District and Sessions Judge, Kamareddy
2. The Superintendent, Central Prison, Cherlapally, Medchal – Malkajgiri District.
(by Special Messenger)
3. The Station House Officer, Police Station Yellareddy, Kamareddy District.
4. One CC to SRI. NYSHADHAM CHANDRA SEKHAR Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
6. Two spare copies

HIGH COURT

KL, J

&

NNR, J

DATED:29/12/2025

NOTE: LIST ON 08.04.2026.

ORDER

IA No. 2 OF 2025

IN

CRLA.No.764 of 2025

I.A. IS DISMISSED

