

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

WEDNESDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE P. SAM KOSHY

AND

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

IA No. 2 OF 2024

IN

CRLA NO: 776 OF 2024

Between:

Peddaboina Srinu, S/o. Latchaiah;

...Petitioner/Appellant
(Petitioner in CRLA 776 OF 2024
on the file of High Court)

AND

State of Telangana, rep. by its Public Prosecutor, High Court at Hyderabad for
the State of Telangana.

...Respondent
(Respondents in-do-)

Petition under Section 528 of BNSS, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to extend the interim bail granted in IA. No. 1 of 2024 in CRI.A. No. 776 of 2024 dated 12.09.2024 for six months at least, basing on nature of disease or basing on the opinion of the doctors treating the accused whichever is maximum for the purpose of his treatment for unsoundness of mind or insanity on medical grounds, pending Crl.A. No. 776 of 2024 on the file of High Court;

I.A. No. 1 OF 2024

Petition under Section 389 (1) of Cr PC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the execution of sentence passed in S.C.No.110 of 2015 dated

10-06-2024 on the file of the Special Sessions Judge for the Trial of SCs/STs (POA) Act cases cum II Addl. District and Sessions Judge at Nalgonda and release the petitioner on bail for a period of six months or the period prescribed by the doctor treating the accused whichever is maximum on medical grounds, pending disposal of CRLA No. 776 of 2024, on the file of the High Court.

The petition coming on for hearing upon perusing the petition and grounds filed in support thereof and order of the High Court dated 12.09.2024 made in I.A. No. 1 of 2024 & 02.12.2024 made in IA.No.2 of 2024 and upon hearing the arguments of Sri G. Satyanarayana Yadav, Advocate for the petitioner and Additional Public Prosecutor for the respondent, the Court made the following'

ORDER:

This Bench on the previous date of hearing on 02.12.2024 while extending the interim bail to the appellant on the ground of the appellant having some serious mental ailment, directed the appellant to be subjected to a thorough medical examination at the Government Hospital for Mental Care, Erragadda, Hyderabad, on or before 10.12.2024 and it was also directed for the report to be made available to the Bench.

Today, the learned Additional Public Prosecutor makes a statement that for want of a specific direction by the Bench, the Doctor who has examined the appellant has refused to grant a report in respect of his mental condition.

Learned counsel for the appellant submits that the appellant was examined by the Doctors at the Government Hospital for Mental Care, Erragadda, Hyderabad, on 07.12.2024.

It is surprising to note the attitude of the hospital authorities in refusing to make available the report of the mental health condition of the appellant in spite of there being specific direction by this Bench on 02.12.2024.

Learned Additional Public Prosecutor also submits that necessary instructions to the Jail Superintendent for getting the medical report also was not considered by the Jail Superintendent.

We fail to understand the attitude of the Doctors at the Government Hospital for Mental Care, Erragadda, Hyderabad, so also the attitude of the Jail Superintendent who were only directed to ensure making available the medical report of the appellant.


The jail authorities could have easily gone to the Government Hospital for Mental Care, Erragadda, Hyderabad, and could have collected the medical report and could have made available to the Bench. So also the Doctors could have given the medical report to the persons who had accompanied the appellant for his medical examination. The action on the part of the two authorities seems to be clear defiance of the order of this Bench.

We are hence though reluctantly compelled to ask for the presence of the Medical Superintendent, Government Hospital for Mental Care, Erragadda, Hyderabad, as also the Jail Superintendent, Central Prison, Cherlapalli, Medchal-Malkajgiri District, to remain present before the

Bench to explain their conduct so far as *prima facie* showing the defiance to the order passed by this Bench.

Post this matter on 16.12.2024 at 2:15 P.M.

Considering the fact that there is no health report of the appellant available, we are inclined to continue the interim bail granted earlier to the appellant till 16.12.2024. The learned Additional Public Prosecutor shall inform the order of this Court to both the authorities concerned.


**SD/-K.SREE RAMA MURTHY
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Special Sessions Judge for the Trial of SCs/STs (POA) Act cases cum II Addl. District and Sessions Judge at Nalgonda.
2. The Judicial Magistrate of First Class at Nalgonda.
3. The Superintendent, Central Prison, Cherlapally, Medchal Malkajgiri Dist.
4. The Superintendent, Government Hospital for Mental Care, Erragadda, Hyderabad.
5. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.[OUT] **(for 3 to 5 by Messenger)**
6. The Station House Officer, II Town PS., Nalgonda.
7. One CC to SRI. G SATYANARAYANA YADAV, Advocate [OPUC]
8. Two spare copies

AR

HIGH COURT

**PSKJ
&
RRNJ**

DATED: 11.12.2024

POST THIS MATTER ON 16.12.2024 AT 2:15 P.M

ORDER

**IA.No.2 of 2024
In
CRLA.No.776 of 2024**

EXTENSION OF INTERIM BAIL

