

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY ,THE THIRD DAY OF DECEMBER TWO THOUSAND AND NINETEEN

:PRESENT:
THE HONOURABLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

IA No. 2 & 3 OF 2019
IN
CRLA NO: 2159 OF 2018

Between:

1. Madapati Gowri, Occ. Maid Servant, r/o H.No. 11-21-1398, Near Chinthachetla bus stop, NTR Nagar, L.B.Nagar
2. Mahila Anasuya, Occ. Maid Servant, r/o H.no., 121-21-1398, near Chenthachetla bus Stop, NTR Nagar, L.B.Nagar.

...Petitioners/Appellant 1 & 2
(Appellant in CRLA No. 2159 OF 2018
on the file of High Court)

AND

The State of Telangana, Through S.H.O., L.B.Nagar Police Station, R.R.District, rep.by
Public Prosecutor, High Court, Hyderabad.

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

Counsel for the Petitioner : SRI K JOSEPH

Counsel for the Respondent :PUBLIC PROSECUTOR (TG)

IA No. 2 of 2019: Petition under Section 389(1) of Cr.P.C., praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the sentence imposed by the order dated 26.06.2018 in SC/ST SC.No. 49/2017 on the file of the Special Sessions Judge R.R. District at L.B.Nagar Hyderabad, pending disposal of the CRLA No. 2159 of 2018, on the file of the High Court.

IA No. 3 of 2019: Petition under Section 389(1) of Cr.P.C., praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to enlarge the petitioners/A3 to A5 on bail by suspending the sentence imposed by the order dated 26/06/2018 in SC/ST.SC.No. 49 of 2017 on the file of the Special Sessions Judge for SC/ST/POA Act -cum- VIII Additional District and Sessions Judge, RR.District, LB.Nagar, Hyderabad, pending disposal of the CRLA No. 2159 of 2018, on the file of the High Court.

The Court made the following

ORDER:

Mr. K. Joseph, learned counsel for the petitioners - appellants 1 to 5, has filed the present bail applications.

Learned counsel for the appellants has pleaded that although the prosecution has produced Kamma, (P.W.2), and D. Vijay, (P.W.3), as the eye witnesses, however, neither of the witnesses are reliable. Therefore, the benefit of bail should be granted to the appellants.

On the other hand, Smt. Juvvadi Sridevi, the learned Additional Public Prosecutor, has argued that Kamma, (P.W.2), and D. Vijay, (P.W.3), happen to be the eye witnesses. According to Kamma, (P.W.2), she had seen the fact that the appellants were indiscriminately beating the deceased whereby he had sustained numerous injuries. Her testimony has further been corroborated by the testimony of Dr. Devraj, (P.W.9), who has conducted the postmortem examination. According to the postmortem report, (Ex.P15), the deceased had suffered as many as 12 injuries. According to the doctor, the cause of the death was multiple injuries sustained by the deceased. Lastly, that the body of the deceased was found in the house of the appellants. Yet, the appellants have not explained as to how the body of the deceased was found in their house. Therefore, the learned Additional Public Prosecutor has vehemently opposed the grant of bail to the appellants.

Without expressing any opinion on the merits or demerits of the case, this Court is not inclined to grant the benefit of bail to the appellants.

Therefore, the bail applications are hereby dismissed.

//TRUE COPY//

SD/- N. CHANDRASEKHARA RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Special Sessions Judge R.R. District at L.B.Nagar Hyderabad
2. The Special Sessions Judge for SC/ST/POA Act -cum- VIII Additional District and Sessions Judge, R.R.District, LB.Nagar, Hyderabad
3. The II Metropolitan Magistrate Court, Ranga Reddy at L.B. Nagar
4. The Superintendent, Cherlapally Jail, Hyderabad
5. One CC to SRI. K JOSEPH Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR (TG), High Court at Hyderabad [OUT]
7. One spare copy

HIGH COURT

HCJ & AARJ

DATED:03/12/2019

ORDER

IA No. 2 & 3 of 2019
IN
CRLA.No.2159 of 2018



APPLICATION IS DISMISSED

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