

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE: Cri.A.No.2159 of 2018

PROCEEDING SHEET

| Sl. No. | DATE | ORDER | OFFICE NOTE |
|----------------|-------------|--|--------------------|
| 06. | 20-11-2023 | <p><u>KL,J & SKS,J</u></p> <p style="text-align: center;"><u>I.A.No.05 of 2023</u> <i>(per Hon'ble KL,J)</i></p> <p>Heard Sri Jaya Prakash Madasu, learned counsel appearing for the petitioner / accused No.3 and Mrs.Shalini Saksena, learned Assistant Public Prosecutor.</p> <p>This Interlocutory Application is filed to grant bail to the petitioner / accused No.3.</p> <p>The petitioner herein is accused No.3 in S.C.No.49 of 2017. <i>Vide</i> impugned judgment dated 26-06-2018, learned Spl. Sessions Judge for SC/ST (POA) Act - cum - VII Addl. District and Sessions Judge, Ranga Reddy District at L.B. Nagar, convicted him for the offences punishable under Sections 302 and 201 r/w.34 of IPC and Section 3(2)(v) of SC/ST (POA) Amendment Act, 2016 and sentenced him to undergo life imprisonment. He is in jail from 26-06-2018.</p> | |

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| | | <p>This Court vide order dated 15-09-2023 granted bail to Accused Nos.1, 2 and 5. This Court also granted bail to Accused No.4. Petitioner herein is Accused No.3, therefore, he is also entitled for the same relief to maintain parity.</p> <p>Several grounds and contentions raised by the petitioner can be considered at the time of hearing of the appeal finally.</p> <p>In <i>Bachu Rangarao Vs. State of Andhra Pradesh</i>¹ a Division Bench of this Court evolved the following criteria:</p> <p><i>“1. A person who is convicted for life and whose appeal is pending before this Court is entitled to apply for bail after he has undergone a minimum of five years imprisonment following his conviction;</i></p> <p><i>2. Grant of bail in favour of persons falling in (1) supra shall be subject to his good conduct in the jail, as reported by the respective jail Superintendents;</i></p> <p><i>3. in the following categories of cases, the convicts will not be entitled to be released on bail, despite their satisfying the criteria in (1) and (2) supra;</i></p> <p><i>The offences relating to rape coupled</i></p> | |
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¹ 2016 (3) ALT (Crl.)505

with murder of minor children dacoity, murder for gain, kidnapping for ransom, killing of the public servants, the offences falling under the National Security Act and the offences pertaining to narcotic drugs.

4. While granting bail, the two following conditions apart from usual conditions have to be imposed, viz., (1) the appellants on bail must be present before the Court at the time of hearing of the Criminal Appeals; and (2) they must report in the respective Police Stations once in a month during the bail period.”

In the light of the aforesaid discussion, according to us, the case of the petitioner falls in the aforesaid criteria evolved in **Bachu Rangarao Vs. State of Andhra Pradesh** and he is entitled for bail.

In the light of the aforesaid discussion, this application is allowed granting interim bail to petitioner / Accused No.3 on his furnishing personal bond for Rs.25,000/- (Rupees Twenty five thousands) with two (2) sureties for the like sum each to the satisfaction of the learned Spl. Sessions Judge for SC/ST (POA) Act - cum - VII Addl. District and Sessions Judge, Ranga Reddy District at L.B. Nagar. During the bail period,

he shall not involve in any criminal activities.

Crl.A.No.2159 of 2018

List on 07-02-2024 along with
Crl.A.No.661 of 2019.

KL,J

SKS,J

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