

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE No: CrI.A.Nos.902 & 897 of 2024

PROCEEDINGS SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
2.	20.01.2025	<u>PSK,J & RRN,J</u> Counsel for the appellant : Ms. M. Sahithi Sri Kavya, learned counsel representing Mr. Ponnammahesh Babu Counsel for respondent/State :Mr. M.Ramachandra Reddy, learned Additional Public Prosecutor <u>I.A.No.1 of 2024 in CrI.A.No.902 of 2024</u> Heard on I.A.No.1 of 2024, which is an application for suspension of sentence and for grant of bail to the petitioner/appellant. The present is the bail application filed on behalf of accused No.1. Considering the deposition of the eye-witnesses, particularly the injured eye-witnesses P.Ws.1 and 6, we are not inclined to accept the contention of the learned counsel for the appellant so far the prayer for suspension of sentence and grant of bail is concerned. I.A.No.1 of 2024 is, accordingly, rejected. <u>I.A.No.2 of 2024 in CrI.A.No.897 of 2024</u> Heard on I.A.No.2 of 2024, which is an application for suspension of sentence and for grant	Transferred to i/o folder, before corrections, if any.

	of bail to the petitioner/appellant. The present is the bail application filed on behalf of accused No.2. Learned counsel appearing for the petitioner/appellant has today produced a medical certificate dated 25.08.2024 issued by the doctor at the Central Prison, Cherlapalli wherein there is a report of the appellant suffering from various organs damage ailments. In addition, there is also a report of he being a heart patient and for which treatment is going on. The learned counsel for the appellant also referred to the age of the appellant herein, who at the relevant point of time when the charge sheet was filed, was around 70 years of age and with the passage of time, he has further crossed around 77 years of age as on date and with the given health condition, for better care and treatment, the appellant may be released on bail. Learned Additional Public Prosecutor, on the other hand, opposes the bail petition on the ground that there are sufficient evidences brought on record by the prosecution, including the deposition of the eye-witnesses themselves, coupled with of them being injured eye-witnesses, all of whom categorically named the appellant and, therefore, the learned Additional Public Prosecutor prays for rejection of bail.	
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		Having considered the contentions put forth on either side, what is reflected from the material papers available is that: (a) the appellant is a senior citizen aged as on date more than 77 years of age; (b) The medical certificate shows that he has been suffering from various critical ailments and that he has multiple organ damage ailments; (c) The appellant herein is convicted and sentenced only for 7 years of rigorous imprisonment; (d) The appellant was on bail during trial and there was no case of misuse of the bail obtained; (e) Admittedly, there was a land dispute and many litigations between the parties; (f) In the instant case also, the incident seems to have occurred when the deceased and his sons were trying to put electric fence at the disputed site which led to the fight between the parties. For all the aforesaid reasons, particularly the age and the health condition of the appellant/accused No.2 as also the fact that he is sentenced only for	
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		7 years of rigorous imprisonment and the appeal is of the year 2024 and there is no likelihood of early final hearing of the appeal, we are the considered opinion that a strong ground for allowing the same has been made out. Accordingly, I.A.No.2 of 2024 stands allowed. The appellant/accused No.2 shall be released on bail upon his furnishing a personal bond for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with two (02) sureties for a like sum each to the satisfaction of the learned Principal Sessions Judge, Rajanna Sircilla. <u>Crl.A.Nos.902 & 897 of 2024</u> Post both the appeals for hearing on 11.06.2025. PSK,J RRN,J <i>Lrkm</i>	
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