

HIGH COURT FOR THE STATE OF TELANGANA

Main Case No.: CRLA. No.660 OF 2022

PROCEEDING SHEET

SL. No.	DATE	ORDER	OFFICE NOTE
	20.04.2026	<u>KL,J & BRMR,J</u> <u>I.A.No.1 of 2026</u> Heard Sri P. Prabhakar Reddy, learned counsel for the petitioner/accused and learned Additional Public Prosecutor appearing for the respondent – State. Petitioner herein is the sole accused in S.C.No.196 of 2016 on the file of the learned Principal Sessions Judge, Suryapet. <i>Vide</i> impugned Judgment dated 24.11.2022, the learned trial Court convicted the petitioner herein for the offence punishable under Section 302 of the IPC and sentenced him to undergo life imprisonment. Learned counsel for the petitioner contended that there is no direct evidence and P.W.6 is the eye witness. Even P.W.4 and P.W.5 are not eye witnesses, they are planted witnesses. No test identification was conducted. There are discrepancies in the depositions of P.Ws.4 and 5. Without considering the said aspects, the learned trial Court convicted the petitioner of the offence under Section 302 of the IPC.	

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		Whereas, learned Additional Public Prosecutor would contend that there are 3 eye witnesses i.e., P.W.4 to P.W.6. However, P.W.6 turned hostile. In the chief examination, she stated that the deceased, P.Ws.1, 2 and L.W.3 used to live in Kodad. The deceased died 4 years back. P.W.4 and P.W.5 in one voice stated with regard to the incident. Nothing adverse was elicited from them during the cross-examination. On consideration of the said aspects, this Court dismissed the earlier bail application vide I.A.No.1 of 2022 on 10.01.2023 filed by the petitioner. There is no dispute with regard to legal position that successive bail applications filed by the accused are maintainable. In the present case, there is no change of circumstances from 10.01.2023. While deciding bail application, this Court cannot analyze the evidence of prosecution witnesses as held by the Apex Court in Omprakash Sahni v. Jai Shankar Chaudhary [(2023) 6 SCC 123] and the same was reiterated in Rajesh Upadhayay v. The State of Bihar [2025 INSC 1468]. As discussed <i>supra</i>, the three eye-witnesses i.e. P.Ws.4 to 6 in one voice deposed about the attack by the petitioner on the deceased. <i>Prima</i>	

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		<i>facie</i>, there are specific overt acts against the petitioner and the offence committed by him is serious and grave in nature. In the light of the aforesaid discussion, we are not inclined to grant bail to the petitioner/accused. Accordingly, this petition is liable to be dismissed and accordingly, it is dismissed. _____ KL,J _____ BRMR,J <u>Crl.A.No.660 of 2022</u> List on 08.07.2026. B/o. bj	

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