

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

Criminal Petition No. 7631 of 2015

Between:

Kunisetty Sridhar

.. Petitioner/A3

And

The State of AP,
Through SHO, Nellore V-Town PS, SPSR Nellore Dist,
rep. by the Public Prosecutor,
High Court of Judicature at Hyderabad,
For the State of Telangana and the State of
Andhra Pradesh

.. Respondent/Complainant

DATE OF JUDGMENT PRONOUNCED: 10.08.2015

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SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE M.S.K. JAISWAL

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE M.S.K. JAISWAL

Criminal Petition No. 7631 of 2015

Order:

This criminal petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A3 in Crime No. 226 of 2015 of Nellore V-Town Police Station, SPSR Nellore District, registered for the offences punishable under Sections 148, 302, 201 and 120(b) read with Section 149 IPC, seeking bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State and perused the material on record.

3. The allegations, in brief, are that the petitioner/A3, who is an advocate by profession, has instigated A-1 and A-2, who are the wife and son of the deceased respectively, to cause death of the deceased in view of certain property disputes. Though in the FIR it is not specifically mentioned as to who is responsible for the death of the deceased, it is mentioned in the remand case diary that at the instigation of the petitioner-A3, the wife and son of the deceased (A1 and A2) hatched a plan to eliminate the deceased. It is further alleged that on the date of incident, A1 to A3 caught hold the legs and hands of the deceased and A4 caught hold the throat of the deceased and throttled him by wearing hand gloves.

4. Learned Additional Public Prosecutor submits that there is specific allegation against the petitioner-A3 and he is responsible for the death of the deceased. He further submits that since the investigation in the above crime is still pending, the petitioner-A3 cannot be released on bail.

5. Taking into consideration the nature of allegations and the gravity of offence alleged to have been committed by the petitioner/A3, it is not a fit case where the petitioner/A3 can be released on bail at this stage. Hence, I am not inclined to grant bail to the petitioner/A3.

6. Accordingly, the Criminal Petition is dismissed.

M.S.K. JAISWAL, J.

Date: 10.08.2015

Nsr