

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

[Special Original Jurisdiction]

FRIDAY THE TWENTY FIFTH DAY OF NOVEMBER  
TWO THOUSAND AND SIXTEEN

PRESENT  
**HONOURABLE SRI JUSTICE SURESH KUMAR KAIT**

**CRIMINAL PETITION NO. 16312 OF 2016**

Between:

B. Chandrasekhar Reddy ... Petitioner/A-1

V/s.

The State of Andhra Pradesh  
Represented by its Public Prosecutor [AP]  
High Court of Judicature for the State  
of Telangana & Andhra Pradesh,  
Hyderabad. ... Respondent  
Through the Station House Officer,  
Bethamcherla Town Police Station,  
Kurnool district.

Counsel for the Petitioner: Sri Lakshmikanth Reddy Desai

Counsel for the Respondent: Public Prosecutor [AP]

The court made the following: [order follows]

**HONOURABLE SRI JUSTICE SURESH KUMAR KAIT**

**CRIMINAL PETITION NO. 16312 OF 2016**

**ORDER :**

This Criminal Petition is filed by the petitioner/A-1 under section 438 of Cr.P.C. seeking to enlarge him on bail in the event of his arrest in Crime No. 276 of 2016 of Bethamcherla Police Station, Kurnool district, registered for the offences punishable under section 324, 506 of IPC and section 3 [1] [r] [s] of SCs and STs [POA] Act, 2015.

2. The case of the prosecution case is that the petitioner is the owner of stone quarry and the defacto complainant is daily labour in his quarry. The defacto complainant and others were working in the quarry of the petitioner for some amount, which was later reduced by the petitioner and the defacto complainant resisted for the same. Thereupon the petitioner asked defacto complainant to return the amount that was due to him. Later the defacto complainant took advance amount from one Edhrusab and paid the same to the petitioner. After few days, the petitioner called the

defacto complainant to his house, abused him in filthy language touching his caste and attacked him with gear rod on his head and cement brick causing bleeding injury on his left eye.

2. Learned counsel appearing on behalf of the petitioner submits that the petitioner is falsely implicated in the above crime due to previous ill-feelings. In fact there was a pronote executed by the defacto complainant on 18/4/2014 to the petitioner. When the petitioner asked for return of the amount then the defacto complainant resorted to threaten the petitioner to file false case against him. Now the defacto complainant filed the complaint only to get rid off with the amount that was due to the petitioner. He submits that as per the allegations made against the petitioner, they do not attract the offence under section 3 (1) [r] [s] of SCs and STs [POA] Act, 2015 and at best section 324 and 506 of IPC attracts, which are bailable offences.

3. On the other hand, learned Additional Public Prosecutor representing the State vehemently opposed the petition and

submitted that a reading of the complaint would prima facie disclose the offences with which the petitioner was charged.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor representing the State.

5. Keeping in view the allegations made against the petitioner in the complaint, especially the petitioner not only abused the defacto complainant by touching his caste but he beat the defacto complainant with gear rod and cement bricks on vital parts of the body causing bleeding injury on his eye.

6. I find no merit in the said petition to grant bail in anticipation of his arrest in the present case.

8. The Criminal Petition is accordingly dismissed.

9. As a sequel, miscellaneous petitions if any pending in this Criminal Petition shall stand disposed of.

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**JUSTICE SURESH KUMAR KAIT.**

25/11/2016  
I s L

**HONOURABLE SRI JUSTICE SURESH KUMAR KAIT**



Date: 25/11/2016  
Circulation No.  
Court Master: I s L