

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

[Special Original Jurisdiction]

MONDAY THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND SIXTEEN

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 15229 OF 2016
AND
CRIMINAL PETITION No. 15194 OF 2016

Between: CRLP.No. 15229 of 2016

V. Umapathi Reddy ... Petitioner/A-11

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,
Y.V.Palem Police Station,
Chittoor district.

Between: CRLP.No. 15194 of 2016

V. Umapathi Reddy ... Petitioner/A-10

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,
Bhakarapet Police Station,
Chittoor district.

Counsel for the Petitioner: Sri V. Maheshwar Reddy

Counsel for the Respondent: Public Prosecutor [AP]

The court made the following: [common order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 15229 OF 2016
AND
CRIMINAL PETITION No. 15194 OF 2016

COMMON ORDER :

Criminal Petition No. 15229 of 2016 is filed by the petitioner/A-11 under section 438 of Cr.P.C. seeking to enlarge him on bail in the event of his arrest in Crime No. 26 of 2016 of Y.V. Palem Police Station, Chittoor district, registered for the offences punishable under section 20 (1) (c) (iii) (4) (10) of A.P. Forest Act, 1967 and Rule 3 of A.P. Sandalwood and Red Sanders Wood Transit Rules 1969, Section 29 of Wild Life [Protection] Act, 1972 section 55 [1] [2] and 58 of Biological Diversity Act 2002 and section 147, 148, 307, 353, 379 of IPC read with section 120 [b] and 149 of IPC and section 30 of Indian Arms Act, 1959.

2. Criminal Petition No. 15194 is filed by the petitioner/A-10 under section 438 of Cr.P.C. seeking to enlarge him on bail in the event of his arrest in Crime No. 33 of 2016 of Bhakarapet Police

Station, Chittoor district, registered for the offences punishable under section 20 (1) (c) (iii) (4) (10) of A.P. Forest Act, 1967 and Rule 3 of A.P. Sandalwood and Red Sanders Wood Transit Rules 1969, Section 29 of Wild Life [Protection] Act, 1972 section 55 [1] [2] and 58 of Biological Diversity Act 2002 and section 147, 148, 307, 353, 379 of IPC read with section 120 [b] and 149 of IPC and section 30 of Indian Arms Act, 1959.

3. Vide orders dated 14/11/2016, Learned Additional Public Prosecutor was directed to verify the presence of the petitioner in both the criminal petitions at the scene of offence on the basis of his cell phone and whether he had any talks with the co-accused on the date of incident about committing of offence.

4. Accordingly, report dated 23/11/2016 is filed whereby stated that apart from the presence of the petitioner in Crime No. 33 of 2016, the Police made requisition to the Nodal Officer in this regard for securing other material evidence like cell phone numbers regarding how many SIM cards were issued in the names of the

accused. The Police have to trace out if the accused are using any other SIM cards which were issued in other names.

5. During the course of investigation, on 23/4/2016 police produced A-14 under P.T. warrant in Crime No. 33 of 2016 of Bakarapet Police Station. On 20/5/2016 police arrested A-6. On 23/6/2016 police produced A-3, A-7 and A-10 under P.T. Warrant in Crime No.33 of 2016 of Bakarapet Police Station. On 08/6/2016 police arrested A-5 and A-17. On 11/7/2016 police arrested A-8 and A-9. On 07/10/2016 police arrested A-19. On 19/10/2016 police arrested A-16. On 26/10/2016 police arrested A-4 and on 08/11/2016 police arrested A-2 and remanded them to judicial custody. The Police have obtained call data register of mobile phone of A-1 from the Nodal Officer concerned. The CDR clearly reveals the appearance of the petitioner in the same tower location on 18/5/2016 at Devarakonda village, Chinnagotigallu Mandal, Chittoor district, which is very near to the scene of offence. Apart from that the tower location of mobile of the petitioner further

shows at Kallur village, Pulicherla Mandal, Chittoor district which is at a distance of 20 KMs away to the scene of offence.

6. In view of the above, it is established the presence of the petitioner near the place of crime. Therefore, I am of the opinion that custodial interrogation of the petitioner is required. Finding no merit, these criminal petitions are accordingly dismissed.

7. As a sequel, miscellaneous petitions if any pending in these Criminal Petitions shall stand disposed of.



JUSTICE SURESH KUMAR KAIT.

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 15229 OF 2016
AND
CRIMINAL PETITION No. 15194 OF 2016
(DISMISSED COMMON ORDER)



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