

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
THURSDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND SEVENTEEN**

:PRESENT:
THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRL. P. NO:11176 of 2017

Between:

- 1 Komareddy Pradeep Reddy S/o. Ram Reddy,
- 2 Kankala Linga Swamy S/o. Bakkaiah,
- 3 Devarapally Bhupal Reddy S/o. Laxma Reddy,
- 4 Dasari Lavalesh S/o. Yadaiah,
- 5 Jogu Kiran S/o. Galaiah,
- 6 Pagilla Venkanna S/o. Laxmaiah,
- 7 Karnati Ramesh S/o. Muthyalu,

..... Petitioners/Accused Nos. 1 to 4, A6 to A8
AND

The State of Telangana, through S.H.O., P.S. Valigonda, Rep. by its Public Prosecutor,
High Court at Hyderabad.

.....Respondents

Petition under Sections 437 & 439 of Cr.P.C., praying that in the circumstances stated in the petition and the grounds filed herein, the High Court may be pleased to enlarge the Petitioners/Accused Nos. 1 to 4, A6 to A8 herein in Crime No. 158 of 2017 of PS Valigonda, Yadadri Bhongir, for the offence punishable U/s. 120(b) of IPC & Sec. 25(1B) (b) of Arms Act, 1959, Sec. 7(1) of Criminal Law Amendment Act, 1932.

Counsel for the Petitioners : SRI V.RAGHUNATH

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR (TS)

The Court made the following ORDER:

“Heard learned counsel for the petitioners/A.1 to A.4 and A.6 to A.8, learned Additional Public Prosecutor for the respondent State and perused the record.

This petition is filed under Section 439 Cr.P.C. for grant of bail to the petitioners/A.1 to A.4 and A.6 to A.8 in Crime No.158 of 2017 of Valigonda Police Station, Yadadri Bhongir, for the offences punishable under Section 120(b) IPC and Section 25(1B)(b) of Arms Act, 1959 and Section 7(1) of Criminal Law Amendment Act, 1932.

Learned counsel for the petitioners would submit that all the petitioners are innocent persons and falsely implicated in this case. Section 25(1B)(b) of Arms Act, 1959 has no application to the case on hand. It is only a dummy pistol. The

petitioners were remanded to judicial custody on 29.09.2017 and ultimately prayed to allow the petition.

Learned Additional Public Prosecutor opposed the grant of bail to the petitioners and contended that the petitioner/A.1 has got criminal background and involved in three other criminal cases and ultimately prayed to dismiss the petition.

It is conceded by both sides that the offences alleged are triable by the Judicial First Class Magistrate. These petitioners were remanded to judicial custody on 29.09.2017. Material witnesses are examined. The allegations are that the petitioners while travelling in Scorpio found in possession of one dummy pistol, one button knife, five axes, two non-sticks, two baseball bats, two cricket wickets and nine masks, and that the petitioner/A.1 wanted to eliminate L.W.8-Shankar. On the confession made by A.1, this case was registered and is under investigation. It is brought to the notice of this Court that L.W.8- Shankar involved in so many criminal cases. The family of the petitioner/A.1 was in danger and the petitioner/A.1's own brother was murdered. All allegations against the petitioner/A.1 are false. In the instant case, there is no attempt to commit any offence. The allegation is that only some questionable items were seized from Scorpio. He has nothing to do with the case. Having regard to the submissions, the petitioners/A.1 to A.4 and A.6 to A.8 can be enlarged on bail on some conditions.

In the result, the Criminal Petition is allowed and the petitioners/A.1 to A.4 and A.6 to A.8 are ordered to be released on bail, on each of them executing a personal bond of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the learned Judicial First Class Magistrate, Ramannapet Mandal. On release, the petitioners/A.2 to A.4 and A.6 to A.8 shall attend before the Station House Officer concerned once in a week between 9.00 and 10.00 a.m. till filing charge sheet. Further, the petitioner/A.1 is directed to attend before the Station House Officer concerned twice in a week i.e., on Friday and Saturday between 9.00 and 10.00 a.m. till filing charge sheet.”

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ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

1. The Special Sessions Judge for SCs & STs (POAC) Act, Nalgonda
2. The Judicial First Class Magistrate, Ramannapet Mandal, Nalgonda District.
3. The Station House Officer, Valigonda Police Station, Yadadri Bhongir District.
4. The Superintendent, Nalgonda District Jail, Nalgonda
5. Two Ccs to Public Prosecutor, (TS), High Court of Judicature, at Hyderabad (OUT)
6. one CC to Sri V.Raghunath, Advocate (OPUC)
7. one Spare copy



HIGH COURT

**AB
DRAFTED ON 24-11-2017**

DR.SA,J

DATE: 23-11-2017

ORDER

CRL.P. NO. 11176 OF 2017



BAIL