

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

[Special Original Jurisdiction]

MONDAY THE TWENTY SECOND DAY OF JANUARY
TWO THOUSAND AND EIGHTEEN

PRESENT

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION NO. 12064 OF 2017

Between:

Sirumalla Ravinder

...

Petitioner/Accused
[Cr.No.457/17 of Subedari
Police Station, Warangal
Police Commissionerate]

V/s.

The State of Andhra Pradesh
Represented by the Public Prosecutor
High Court of Judicature for the State of
Telangana & Andhra Pradesh,
Through Station House Officer,
Subedari Police Station,
Warangal Police Commissionerate,
Warangal district,
Telangana State.

...

Respondent/complainant

Counsel for the Petitioner :

Party in-person
Sri Sriumalla Ravinder

Counsel for the Respondent :

Public Prosecutor [TG]

The court made the following:

[order follows]

SMT. JUSTICE T. RAJANI**CRIMINAL PETITION NO. 12064 OF 2017****ORDER :**

This Criminal Petition is filed by the petitioner under section 438 Cr.P.C., seeking grant of anticipatory bail to the petitioner, who is accused in Crime No. 457 of 2017 of Subedari Police Station, Warangal Police Commissionerate, Warangal district, registered for the offences punishable under section 290, 504, 323, 506 of I.P.C., and Section 3 [1] [4] [s], 3 [2] [va] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Amendment Act, 2015.

2. Heard both sides.

3. As per the case of the prosecution, the petitioner abused the defacto-complainant in his caste name and he kicked him, due to which there was dislocation of right shoulder. There is an allegation that the petitioner threatened to kill the defacto-complainant.

4. The petitioner submits that the defacto-complainant in fact is not a person belonging to 'madiga' caste and hence abusing the defacto-complainant in the name of 'madiga' caste does not arise.

5. The learned Additional Public Prosecutor brings to the notice of this Court the injury certificate issued by the M.G.M. Hospital, Warangal, wherein it is mentioned that the defacto-complainant sustained two grievous injuries and in the injury certificate it is mentioned that there is dislocation of right shoulder.

6. A perusal of the complaint shows that irrespective of the allegation, there are other allegations constituting offence under Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Amendment Act against the petitioner, which dis-entitle him for grant of anticipatory bail. Further the *prima facie* allegation in the complaint gets support from the injury certificate, issued by the MGM Hospital, Warangal. Hence, in view of the above facts and circumstances, this Court finds that it is not a fit case to grant anticipatory bail to the

petitioner. However, the petitioner can surrender before the concerned court and seek regular bail.

7. In view of the above, this Criminal Petition is dismissed.

8. As a sequel, miscellaneous petitions if any, pending in this Criminal Petition shall stand closed.

JUSTICE T. RAJANI.



22/01/2018
I s L

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION NO. 12064 OF 2017
[ANTICIPATORY BAIL :: **DISMISSED**]



Date: 22/01/2018
Circulation No.
Court Master: I s L