

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO. 1691 OF 2019

Date:13.02.2019

Between:

Sri Kadari Thirupathi Kotla Thirupathi Srinivas
S/o Chukkaiah aged about 29 years
Occ Pvt Work
R/o Edurugatla V of Vemulawada M Rajanna Sircilla
Dist TS Presently lodged in Civil Jail at Karimnagar
Rep by his wife Smt Kadari Sandhya Akulda Sandhya
W/o Sri Kadari Thirupathi Kotla ThirupathiSrinivas
aged about 28 years Occ House hold

.....Petitioner

and

The State of Telangana
Rep by its Principal Secretary Revenue Department
Telangana Secretariat Hyderabad T S & others

.....Respondents

The Court made the following:

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ORDER:

In this Writ Petition, petitioner challenges the warrant of imprisonment issued in Form-54 alleging violation of bond for good behaviour granted to the petitioner earlier.

2. Heard learned counsel for petitioner and the learned Government Pleaders for respondents.

3. The reason assigned for issuing Form-54 is that petitioner is involved in another crime. Notice to this extent was issued on 7.1.2019. It is thus clear from the reading of this notice that the present Form-54 was issued on account of registration of another crime after the bond was granted to the petitioner. Though the Form-54 does effect the earlier notice issued, from the reading of the earlier notice would make it clear that cancellation of bond and direction to the petitioner is only on account of registration of another crime.

4. This Court consistently held that mere registration of crime does not amount to conviction *per se* and, therefore, cannot be treated as breach of bond furnished by the person to maintain good behaviour and take coercive action against a person for violation of terms of the bond. In view of the consistent view taken by this Court, which I am in agreement, the present action of the respondents is not valid in law and the same is set aside. However, this order does not come in the way of respondents in following the due process and take appropriate action if petitioner

indulges in any other criminal activity. Writ Petition is accordingly disposed of. Pending miscellaneous petitions shall stand dismissed.

JUSTICE P.NAVEEN RAO

Date: 13.02.2019
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