

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.1707 OF 2019

Date: 08.02.2019

Between:

Sri Neduri Rajesh, s/o. Rajanarsaiah, Aged about 23 years,
Occu: Private work, r/o. Balrajpalli village of Vemulawada
Rural Mandal, Rajanna Sircilla district, T.S., (presently
lodged in Civil Jail at Karimnagar), rep.by his father
Sri Neduri Rajanarsaiah, s/o. Rajamallu, Aged about 53
Years, occu: Casual Labour.

.....Petitioner

and

The State of Telangana, rep.by its Prl.Secretary,
Revenue Department, Telangana Secretariat,
Hyderabad and 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 15.11.2018. 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: 08.02.2019

Note: Issue C.C. in two days.
(B/o.)
kkm

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