

HIGH COURT FOR THE STATE OF TELANGANA

HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL APPEAL No.1121 of 2012

Date: 06.08.2019

Between:

Shaik Ahmed.

...Appellant/Accused

AND

The State of A.P.
Rep. by its Public Prosecutor,
High Court, Hyderabad.

...Respondent/Complainant

Counsel for the Appellant : Smt.C. Vasundhara Reddy

Counsel for the Respondent : The Public Prosecutor

The Court made the following:

JUDGMENT: (Per Hon'ble Dr. Justice Shameem Akther)

This Criminal Appeal, under Section 374(2) of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the appellant/accused, aggrieved by the judgment, dated 01.11.2012, passed in Sessions Case No.19 of 2012 by the Special Judge for trial of offences under S.Cs & S.Ts (POA) Act-cum-VI Additional Metropolitan Sessions Judge, Secunderabad, whereby, the appellant/accused was found guilty of the offence punishable under Section 364A of IPC and sentenced to undergo Life Imprisonment and to pay fine of Rs.5,000/-, in default, to suffer Simple Imprisonment for one month.

2. In brief, the case of the prosecution is that P.W.1-Sanjay Gupta, the *de facto* complainant, is the father of P.W.2-Prateek Gupta, the victim boy. P.W.2 was studying VI standard in St.Mary's High School, Rezimental Bazar, Secunderabad, on the date of incident. P.W.1 used to drop P.W.2 in the school in the morning and P.W.2 used to return to home from school by a regular auto. On 03.02.2011, P.W.2 went to a picnic organised by the school and returned to the school at 03:00 PM and waited till 04:00 PM at the school premises for the regular auto, but the regular auto did not turn up. Then, P.W.2 telephoned his father-P.W.1 through the cell phone of PW.3-school teacher and informed about the same. On that, P.W.1 instructed P.W.2 to go to home by engaging another auto. Accordingly, P.W.2 boarded the auto being driven by the appellant/accused for going home. After travelling for sometime, P.W.2 noticed that the auto was proceeding in wrong route. When P.W.2 asked the driver of the auto (appellant/accused) about the

same, the appellant/accused informed P.W.2 that it was a shortcut route and took him to some unknown place by promising that he would call P.W.1 and ascertain the correct address and drop PW.2 at his home. Thereafter, the appellant/accused took P.W.2 to his sister's (P.W.6) house and told PW.2 that he would drop him at his house on the next day morning. Thereafter, the appellant/accused telephoned P.W.1 and informed him that P.W.2 was in his custody and demanded a ransom of Rs.2 lakhs to release him. On receiving the telephone call regarding kidnap of P.W.2, P.W.1 went to the police station and lodged Ex.P.1-report. On the same day at about 08:30 PM, the appellant/accused again called P.W.1 and reiterated his demand. When P.W.1 expressed his inability to fulfil the demand, the appellant/accused demanded Rs.1.50 lakhs for release of P.W.2. On the next day, i.e, on 04.03.2011, at about 06:00 AM, the appellant/accused, along with P.W.2 left to Borabanda from his sister's house in an auto and while travelling he telephoned P.W.1 and enquired about the arrangement of money and advised him to come to Pillar No.78, P.V.Narasimha Rao Expressway, with ransom. After some time, the appellant/accused again called P.W.1 and asked him to come to Pillar No.99, P.V.Narasimha Rao Expressway on foot and raise his hand for identification. Accordingly, when P.W.1 reached Pillar No.99, he found the appellant/accused standing there alone and raised his hand and the appellant/accused had also raised his hand. When P.W.1 was trying to handover the ransom to the appellant/accused, the police, who were in mufti, surrounded the appellant/accused and took him into custody. On enquiry by the police, the appellant/accused shown P.W.2, who was sitting in an auto, which was alighted at a short distance from there.

3. On the report lodged by PW.1-father of the victim boy, L.W.15 – V.Janaiah, Sub-Inspector of Police, Gopalapuram Police Station, registered a case in Crime No.37/2011 for the offence punishable under Section 364A of I.P.C. and handed over the case file to P.W.8-K.Ramesh, Sub-Inspector of Police, Gopalapuram Police Station, for further investigation. On completion of investigation, P.W.8 laid charge-sheet before the learned X Additional Chief Metropolitan Magistrate, Secunderabad, against the appellant/accused for the offence under Section 364A IPC.

4. The learned Magistrate has taken cognizance of the case against the appellant/accused for the offence under Section 364A IPC in P.R.C.No.65 of 2011 and committed the case to Sessions Division, Hyderabad, under Section 209 Cr.P.C., since the offence under Section 364A of IPC is exclusively triable by the Court of Session. On committal, the Court below registered the case as S.C.No.19 of 2012 for the offence punishable under Section 364A of I.P.C. After appearance of the appellant/accused, the trial Court framed charge for the offence under Section 364A of IPC against the appellant/accused and read over the same to him, for which, he pleaded not guilty and claimed to be tried.

5. To prove the case of prosecution, PW.1 to PW.8 were examined and Exs.P.1 to P.4 were marked, besides case properties MOs.1 to 3. PW.1 is the father of the victim boy. PW.2 is the victim boy. PW.3 is the school teacher in St.Mary's High School, Secunderabad. PW.4 is the panch witness for confession-cum-recovery panchanama. PW.5 is the auto driver and an eye witness. PW.6 is the sister of appellant/accused. PW.7 is the panch witness for confession-cum-

recovery panchanama. PW.8 is the Investigating Officer, who took up the investigation and filed charge sheet. Ex.P.1 is the report lodged by PW.1 with the police concerned. Ex.P.2 is the confession-cum-seizure panchanama. Ex.P.3 is the 161 Cr.P.C statement of PW.6. Ex.P.4 is the First Information Report. M.O.1 is a cell phone. M.O.2 is also a cell phone. M.O.3 is the Auto bearing registration No.AP 09 Y 5081.

6. After closure of prosecution evidence, when the appellant/accused was examined under Section 313 of Cr.P.C explaining the incriminating material appearing against him, he denied the same and contended that he is falsely implicated in this case. On behalf of the appellant/accused, no oral evidence has been adduced, but Ex.D.1-161 Cr.P.C statement of P.W.2 and Ex.D.2-161 Cr.P.C statement of P.W.3, were marked.

7. The trial Court, on analysis of both oral and documentary evidence and the submissions put-forth before it, held that the prosecution was able to prove the guilt of the appellant/accused beyond all reasonable doubt for the offence punishable under Section 364A IPC and accordingly, convicted and sentenced him as indicated above. Hence this Criminal Appeal by the appellant/accused.

8. Heard arguments of Smt.C.Vasundhara Reddy, learned counsel for the appellant/accused and Smt.J.Sridevi, learned Additional Public Prosecutor for the State and perused the record.

9. Smt. C. Vasundhara Reddy, learned counsel for the appellant/accused would contend that the findings recorded by the trial Court are contrary to law and against the weight of the evidence and

probabilities. The Court below erred in placing reliance on the highly interested testimony of P.Ws.1 to 5 and 8. PW.2 is a child witness and he was tutored to support the case of prosecution and the same was admitted by him in his cross-examination. PW.2 stated that he was treated well by the appellant/accused and was not threatened at all. There was no demand of ransom of Rs.2 lakhs, as contended by the prosecution. There is no cogent and convincing evidence to substantiate the accusation and thus, the prosecution failed to prove the requirements under Section 364A of IPC. Learned counsel relied upon the decision reported in ***Md. Faizan Ahmad @ Kalu v. State of Bihar***¹ and ultimately prayed to allow the appeal by setting aside the conviction and sentence recorded against the appellant/accused.

10. On the other hand, Smt. J. Sridevi, learned Additional Public Prosecutor for the State, would contend that the prosecution examined PWs.1 to 8 and got marked Exs.P.1 to P.4, besides case properties M.Os.1 to 3. All the prosecution witnesses, except PWs.6 and 7, have supported the case of prosecution. PW.1, PW.2 and PW.5 have no animosity, grudge or reason to depose falsely against the appellant/accused. The evidence of the prosecution witnesses is cogent and consistent. The appellant/accused demanded a ransom of Rs.2 lakhs from PW.1-father of the victim boy (PW.2) under a threat to cause the death of PW.2. The appellant/accused was caught red-handed by the police. The trial Court had meticulously dealt with the entire evidence on record and rightly convicted and sentenced the appellant/accused for the offence under Section 364A IPC. There are no justifiable grounds to interfere with the impugned

¹ 2013(2) ALD (Crl.) 103 (SC)

judgment and ultimately prayed to sustain the same by dismissing the appeal.

11. In view of the submissions made by both sides, the following points have come up for determination:

1. Whether the appellant/accused had kidnapped PW.2-

Prathik Gupta, the victim boy, and after kidnapping, demanded ransom of Rs.2 lakhs from PW.1-father of the victim?

2. Whether the conviction and sentence recorded against the appellant/accused for the offence under Section 364A IPC vide impugned judgment dated 01.11.2012, passed in Sessions Case No.19 of 2012 by the learned Special Judge for trial of offences under S.Cs & S.Ts (POA) Act-cum-VI Additional Metropolitan Sessions Judge, Secunderabad, is liable to be set aside?

12. **POINTS:** In view of the submissions made by both sides, it is appropriate to place precisely, the evidence of the prosecution on record.

13. PW.1-*de facto* complainant (father of the victim boy-PW.2), deposed that he was working as Supervisor in Ganesh Tube Agency, Ranigunj. He was blessed with one son by name Prathik Gupta (PW.2). On 03.02.2011, he dropped PW.2 at his school to go to private resorts. At 4:00 PM on that day, PW.2 telephoned him from his teacher's mobile (PW.3) informing that the regular auto person went away and hence, he instructed PW.2 to take some other auto to

reach the house. Even after waiting till 5:30 PM, his son did not reach home and so he took permission from his office and started searching for his son. In the meanwhile, at 6:00pm, he received a telephone call from one person stating that PW.2 was with him and demanded a ransom of Rs.2 lakhs to release PW.2 from his clutches. He further deposed that he telephoned his boss-Padam Kumar Jain and informed the same. Padam Kumar Jain instructed PW.1 to come to Police Station and he was also going there. Then, both of them went to Police Station and lodged Ex.P.1-report with the police, which contain the signature of P.W.1. On the next day i.e, on 04.02.2011, he received a call from the kidnapper at 8:30 AM and was instructed to come to pillar No.95 of P.V. Narsimha Rao Expressway with money and, accordingly, he went there along with Task Force team. The appellant/accused instructed him to raise his hand to identify him and further stated that as soon as PW.1 handovers the money, his boy (PW.2) would be handed over to him. When PW.1 reached the P.V. Narsimha Rao Expressway and raised his hand, the kidnapper (accused) came there and immediately within seconds, police arrived and rounded him. P.W.1 specifically stated in his evidence that the appellant/accused was the same person, who telephoned him and demanded a ransom of Rs.2 lakhs. He further stated that when police questioned the appellant/accused, his son (PW.2), who was sitting in the auto alighted at a short distance, was shown by the appellant/accused and the police rounded the PW.2 and the auto. Thereafter the appellant/accused was taken to Gopalapuram Police Station. In the cross-examination of PW.1, he denied the suggestion that at the instance of his family members, he lodged a false report with the police and that he was deposing falsely. He also denied the

suggestion that the appellant/accused is not the person who kidnapped his son (PW.2) and demanded a ransom of Rs.2 lakhs. He stated that he took the money in a bag with denomination of Rs.1,000/- notes and handed over the said cash to the police.

14. PW.2-Prathik Gupta, the victim boy, deposed that he was studying 7th class in St.Mary's High School, Rezimental Bazar, Secunderabad. He also spoke about his going to picnic on 03.02.2011 and not finding the regular auto in the evening and calling his father (PW.1) from the cell phone of his teacher (PW.3). He further stated that on the instructions of PW.1, he boarded another auto to go to house and when he reached near St.Mary's College, some stranger boarded into his auto and then both the auto driver and said stranger quarrelled with each other. Thereafter, the said stranger got down at Anand Theatre. Then PW.2 told the auto driver that the route in which he was taking him was not the correct route, for which, the auto driver said it was a free way, where he can reach his house early. He further deposed that the auto driver took him to an unknown place, which was his house. Then the auto driver informed PW.2 that he telephoned PW.1 and after ascertaining the correct address with PW.1, he would drop him at his house and made him to wait for sometime and thereafter, the appellant/accused took him to his sister's (PW.6) house. During the course of recording his evidence, PW.2 identified that the appellant/accused, as the same person, who took him in the auto on that evening. He further deposed that when they were present in the house of PW.6, the appellant/accused told him that he would drop him on the next day morning. Again the appellant/accused telephoned PW.1 and

demanding a ransom of Rs.2 lakhs in his presence and the appellant/accused also informed PW.1 not to inform the police. Thereafter, the appellant/accused took him to Pillar No.78 of P.V. Narsimha Rao Expressway. PW.2 also deposed that by standing at the auto, he saw PW.1 carrying a suit case and at that time, police apprehended the appellant/accused and came to the place where he was waiting. In the cross-examination, PW.2 reiterated what he stated in the chief examination and denied that he was deposing falsely.

15. The evidence of PW.3, who was working as a teacher in St.Mary's High School, Secunderabad, reveals that PW.2 was their school student and last year, the school staff and the children, including PW.2, went to picnic for Sreenidhi Resorts and they returned back to school at 4:00pm. Some students left the school as their parents picked them up and some students had to stay, as their parents didn't come. PW.3 further deposed that PW.2 was also waiting for auto and generally his father used to drop him. PW.2 took her cell phone and spoke to his father about the absence of regular auto. Thereafter, she told PW.2 that PW.1 had instructed PW.2 to go to his house in another auto and she did not see the face of the auto driver. In the cross-examination she stated that she did not state before the police that they returned from picnic to school at about 14:00 hours as in Ex.D.2. She stated that she do not know the conversation that took place between PW.2 and his father (PW.1).

16. The evidence of PW.4-panch witness reveals that on 04.02.2011 he was called to Gopalapuram Police Station at 12:30pm. He found PW.1 there. He signed on the Ex.P.2-confession-cum-

seizure panchanama. Under the said panchanama, the police seized two mobile phones i.e, M.Os.1 and 2.

17. The evidence of PW.5 reveals that he was an auto driver by profession. On 14.02.2011 at 7:30 am, he was waiting for passengers near Attapur road. In the meanwhile, one person along with one boy approached him and engaged his auto to go to Rethifile bus stop. Both the persons boarded his auto on payment of Rs.150/-. While travelling, the person, who was accompanying the boy, took the cell phone of PW.5 on the pretext that his cell phone was not working and went aside and spoke for sometime and then handed over the cell phone to him. When they reached at Pillar No.78, P.V. Narsimha Rao, Express Way, that person asked him to stop the auto. Thereafter, that person again took his cell phone and stated that he was waiting for his friend. When the said person went to Pillar No.78, persons in mufti rounded him and the boy who accompanied. PW.5 identified that person as the appellant/accused in the open Court during the course of recording his evidence. Thereafter, he came to know that the boy who travelled in his auto was kidnapped. He also stated that the police examined him and recorded his statement.

18. PW.6 is the sister of the appellant/accused. She did not support the prosecution case. She was declared hostile.

19. PW.7-panch witness, deposed that on 04.02.2011 at about 11:00am, he went to Gopalapuram PS along with PW.4 and stated that police took his signature. His signature was marked on Ex.P.2-confession-cum-seizure panchanama. He was declared hostile.

20. The evidence of PW.8-Investigating Officer, reveals that on 03.02.2011, PW.1 came to Gopalapuram PS and gave Ex.P.1-report to LW.15-V.Janaiah, the Sub-Inspector of Police, who registered a case in Crime No.37/2011 against the appellant/accused for the offence under Section 364A IPC and issued Ex.P.4-FIR. Thereafter, LW.15-V.Janaiah, Sub-Inspector of Police, handed over the case file to him for further investigation. During the course of investigation, LW.12-Narasaiah, LW.13-Shyam Babu and LW.14-Radesh Murali, Inspector of Police, who were members of Task Force, had formed a team and apprehended the appellant/accused and produced before him. He summoned PWs.4 and 7 and in their presence, the appellant/accused admitted the commission of offence. He recorded Ex.P.2-confession and seizure panchanama. He seized MOs.1 and 2-cell phones under Ex.P.2. Thereafter, he arrested the appellant/accused and sent him to judicial remand. In the course of investigation, he examined and recorded the statement of PWs.1, 2, 3, 5 and 6 and LW.5-Shahina Begum. He further stated that he also examined task force police personnel and after completion of investigation, he filed charge sheet.

21. PW.1, PW.2, PW.3 and PW.5 are the material witnesses in this case. PW.1 is the father of the victim boy-PW.2. PW.1 has clearly and categorically stated in his evidence that he was working as Supervisor in Ganesh Tube Agency, Ranigunj. PW.2-Prathik Gupta, is his son. On 03.02.2011, he dropped his son at school to go to private resorts, at 4:00pm on that day, on returning from the picnic, PW.2 telephoned him through his teacher's mobile informing that regular auto person did not come, on that, he instructed PW.2 to take

some other auto to reach the house. PW.3 is the school teacher, from whose mobile PW.2 telephoned PW.1. She supported the evidence of PW.1. PW.2-victim also stated about his going to picnic on 03.02.2011 and not finding the regular auto in the evening and calling his father from the cell phone of his teacher (PW.3). There is no animosity or reason for PWs.1, 2 and 3 to depose false against the accused. There is also specific evidence of PW.1 that on the advice of his employer-Padam Kumar Jain, he went to Police Station and lodged Ex.P.1-report. Ex.P.1-report corroborates the evidence of PWs.1 and 2. The evidence of PW.3 also corroborated the evidence of P.W.2 with regard to PW.2 being taken away in some other auto on that evening. Though PWs.1 to 3 were subjected to lengthy cross-examination, their evidence was not shaken. There is consistency and corroboration in the evidence of PWs.1 to 3. There is no reason to discard their testimony. There are no omissions or contradictions in their evidence with regard to the kidnap of P.W.2 for ransom.

22. PW.4 stated about the seizure of two mobile phones i.e, MOs.1 and 2 under Ex.P.2-panchanama. PW.5 clearly stated about appellant/accused engaging his auto along with PW.2 to go to Rethifile bus stop on payment of Rs.150/-, using his cell phone for making calls and taking the auto to Pillar No.78 of P.V.Narsimha Rao Expressway and stopping the auto there and thereafter, the appellant/accused being rounded up by the police there. PW.5 is a stranger and he has no prior acquaintance with the appellant/accused or PWs.1 and 2. In the cross-examination, PW.5 reiterated what he has stated in his chief-examination. PW.5 is a truthful witness and there is no reason to doubt his testimony.

23. It is appropriate to refer the provision under Section 364A IPC, which reads as follows:

“364A. Kidnapping for ransom, etc.—Whoever kidnaps or abducts any person or keeps a person in detention after such kidnapping or abduction, and threatens to cause death or hurt to such person, or by his conduct gives rise to a reasonable apprehension that such person may be put to death or hurt, or causes hurt or death to such person in order to compel the Government or any foreign State or international inter-governmental organisation or any other person to do or abstain from doing any act or to pay a ransom, shall be punishable with death, or imprisonment for life, and shall also be liable to fine.

A bare reading of the above provision of law makes it clear that to constitute the offence under Section 364A of IPC, the prosecution has to prove the following ingredients:-

- (1) that the accused kidnapped or abducted a person;
- (2) kept him in detention after such kidnapping or abduction;
- (3) the kidnapping or abduction was for ransom.

In the case on hand, PW.1 had clearly stated in his evidence that he received a telephone call from a stranger (the appellant/ accused) that his son (PW.2) was kidnapped and demanded a ransom of Rs.2 lakhs to release PW.2. PW.2 also corroborated the same and specifically stated that he heard the appellant/accused calling his father (PW.1) and demanding a ransom of Rs.2 lakhs. There is specific evidence of PW.1 that he received a call from the kidnapper at 8:30 AM and was instructed to come to Pillar No.95 of P.V. Narsimha Rao Expressway with money and accordingly, he went there along with Task force team. The appellant/accused instructed PW.1 to raise his hand to identify him and also stated that as soon as PW.1 handovers the money, PW.2 would be handed over to him. When he reached the P.V. Narsimha Rao Expressway and raised the

hand, the kidnapper/accused came, immediately within seconds police arrived and rounded him. He specifically stated that the appellant/accused is the same person, who telephoned him and demanded ransom amount of Rs.2 lakhs and rounded up by the police. The evidence of PWs.2 and 5 also reveals that the appellant/accused was rounded up by the Task Force team at P.V. Narsimha Rao Expressway. Thereafter, the appellant/accused was taken to Gopalapuram Police Station. All these circumstances clichingly establish the fact that the appellant/accused kidnapped P.W.2, kept him in detention and demanded a ransom of Rs.2 lakhs to release him from his custody.

24. In ***Malleshi v. State of Karnataka***², the Apex Court observed that the essence is the intention of making such demand and was it for ransom. The offence of kidnapping for ransom, if proved, invites the punishment of death or imprisonment for life along with the fine. No punishment lesser than this can be imposed. The seriousness with which the Legislature has treated this offence can be judged from the punishment prescribed for it and, therefore, such a rigor is required to be kept in mind while appreciating the evidence on record to decide the intention of the accused.

The word 'ransom', as per Concise Oxford English Dictionary, 2002, p.1186, means 'to hold someone captive and demand for payment for his release'. So, the person abducted or kidnapped must be in the custody of the person at the time demand of ransom is made or communicated. In the instant case, PW.2-the victim boy, was kidnapped by the appellant/accused on the evening of

² 2004 (2) ALD (Cri) 833 = (2004) 8 SCC 95

03.02.2011 i.e, around 5:00 pm and a ransom of Rs.2 lakhs was demanded from PW.1 to release the PW.2 from his clutches during evening hours on that day. The appellant/accused reiterated his demand on the next day morning also. When the appellant/accused came to collect the ransom amount demanded, he was apprehended by the police personnel, in mufti on 04.02.2011.

25. It is contended on behalf of the appellant/accused that in the cross-examination, PW.2 admitted that he was tutored to depose before the Court, by the police. So no credibility can be given to the evidence of PW.2, the victim. It is true that in the cross-examination, PW.2 stated as: *"when I came to Court yesterday with my father, the police personnel came to me and taught me to depose before this Court as they told"*. A careful scrutiny of the evidence of PW.2 reveals that he gave the details of his kidnap as well as demand of ransom of Rs.2 lakhs by the appellant/accused. He had the opportunity to travel with the appellant/accused and see him closely. He identified the appellant/accused in the open Court. He was subjected to lengthy cross-examination, wherein he reiterated the same. In the instant case, the police might have refreshed the memory of the PW.2 showing his statement recorded under Section 161 Cr.P.C. Therefore, the admission of PW.2 as indicated above, has no adverse bearing on the prosecution case and basing on the said admission, his whole evidence cannot be brushed aside. PW.2 is a consistent, cogent, reliable and truthful witness, whose testimony cannot be discarded. Furthermore, there is ample evidence on record i.e., the evidence of PW.1, PW.3 and PW.5 to connect the appellant/accused with the alleged offence.

26. The learned counsel for the appellant/accused had relied on **Md. Faizan Ahmad @ Kalu**'s case (supra). In the said decision, the Hon'ble Apex Court, while acquitting the accused therein, observed that mere evidence of parents of the victim that the accused was seen in the locality on the day of incident and that anonymous call was received demanding ransom, though raises suspicion against the accused, such suspicion, however grave, cannot take place of proof. There cannot be any dispute with the regard to the said legal position. But in the instant case, the appellant/accused was caught red-handed by the police. PW.5-another auto driver, found the PW.2 in the company of appellant/accused. PW.2 was traced by the police and PW.1, when the appellant/accused had pointed towards PW.2. Therefore, the above decision has no application to the instant case.

27. There is cogent, convincing and overwhelming evidence on record to connect the appellant/accused with the alleged offence. The prosecution clinchingly proved the guilt of the accused beyond all reasonable doubt for the offence punishable under Section 364A of IPC. The Court below had meticulously analysed the entire evidence on record and rightly convicted and sentenced the appellant/accused, basing on the oral and documentary evidence. There is nothing to take a different view. All the contentions raised on behalf of the appellant/accused do fail. The Criminal Appeal is devoid of merit and is liable to be dismissed.

28. In the result, the Criminal Appeal is dismissed, confirming the conviction and sentence recorded against the appellant/accused for the offence under Section 364A IPC vide impugned judgment dated 01.11.2012, passed in Sessions Case No.19 of 2012 by the learned

Special Judge for trial of offences under S.Cs & S.Ts (POA) Act-cum-VI Additional Metropolitan Sessions Judge, Secunderabad. The appellant/accused was released on bail by this Court by order, dated 05.07.2016 passed in Crl.A.M.P.No.877 of 2016. Since this Criminal Appeal is dismissed, the appellant/accused is directed to surrender before the trial Court forthwith, failing which the police officials concerned are directed to arrest the appellant/accused in accordance with law and produce him before the jail authorities to serve the remaining period of sentence.

Miscellaneous petitions, if any, pending in this Criminal Appeal, shall stand closed.

RAGHVENDRA SINGH CHAUHAN, HCJ

Dr. SHAMEEM AKTHER, J

Date: 06.08.2019
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