HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY

:PRESENT:
THE HON'BLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 1239 OF 2020

Between:

Gurrapu Prathap Reddy, S/o.Nampelli @ Nampalli

....Petitioner/Accused

AND

1. The State of Telangana, Rep. by Public Prosecutor, High Court at Hyderabad.
2. The Station House Officer, Veernapally P. S
3. Gurrapu Narsaiah, S/o LAxmirajan, Occ: Agriculture R/o H.No.1-73/1, Adivipadira village, Veernapalli Mandal
   (As per the court order dated 06.03.2020 in IA.No.1 of 2020 R-3 is impleaded in Crl.P.No.1239/2010)

...Respondent/Complainant

Petition under Section 437&439 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioner/Accused in Crime No. 1/2020 on the file of Veernapally Police Station bail, in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI.T.SURYA SATISH Advocate for the Petitioner and ADDL.PUBLIC PROSECUTOR (TG) for Respondent No.1 the Court made the following.

ORDER

THE HON'BLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO.1239 OF 2020

ORDER:

This is an application for regular bail. Petitioner is accused in Crime No.1 of 2020 of P.S. Veernapally. The offences alleged against the petitioner/accused are under Section 324 of the Indian Penal Code and Sections 3(1)(r)(s) and 3(2)(va) of the SCs/STs (POA) Amendment Act, 2015.

It is the case of the prosecution that L.W.1 belongs to Scheduled Caste whereas the petitioner/accused belongs to non-Scheduled Caste. Both L.W.1 and the petitioner/accused belong to the same village i.e. Adavipadhira Village, Veernapally Mandal, Rajanna Siricilla District. Both of them are having paddy agricultural fields and in between their fields, there is a tank bund, which is called as Chityalapenta. It is further alleged by the prosecution that on 31.12.2019 at about 17.00 hrs, while L.W.1 was distributing paddy sprouts for sowing in the ploughed wet land, the accused went there and asked him as to why he is cultivating his land which is edge of tank bund with a tractor and abused him by referring his caste name. It is further alleged by the prosecution that the accused beat L.W.1 on his right side of his head resulting in sustaining bleeding injury and also threatened him with dire consequences. Therefore, the petitioner/accused committed the offences as stated above.

Learned counsel for the petitioner/accused would submit that there is boundary dispute between the petitioner and the *de facto* complainant and both belong to the same village and having lands abutting to each other. Learned counsel would further

submit that the petitioner is in judicial custody from 06.01.2020 and investigation is completed and the police have also filed charge sheet.

On the other hand, learned Additional Public Prosecutor, on instructions, would submit that the police have filed charge sheet in the present case on completion of investigation.

Considering the said fact and also the fact that the petitioner/accused is in judicial custody from 06.01.2020 and both the petitioner/accused and the *de facto* complainant belong to the very same village and owners of land abutting to each other and *prima facie* there is boundary dispute between them, this Court is inclined to grant regular bail to the petitioner/accused.

The Criminal Petition is allowed and the petitioner/accused shall be released on bail on the following terms and conditions:

(i) That the petitioner/accused shall execute a personal bond for Rs.5,000/- (Rupees five thousand only) with one surety for a like sum to the satisfaction of the Judicial Magistrate of First Class at Sircilla;

(ii) that the petitioner/accused shall not interfere with the investigation, directly or indirectly; and

(iii) that the petitioner/accused shall co-operate with the investigating agency.

Miscellaneous applications, if any, pending shall stand closed.

SD/- B. SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The V Additional Sessions Judge, Karimnagar.
2. The Judicial Magistrate of First Class at Sircilla
3. The Superintendent, District Jail, Karimnagar.
4. The Station House Officer, Veernapally Police Station, Rajanna Sircilla District
5. One CC to SRI.T.SURYA SATISH Advocate [OPUC]
6. Two CCs PUBLIC PROSECUTOR (TG), High Court at Hyderabad (OUT)
7. One spare copy

HIGH COURT

KL.J

DATED; 20.03.2020

CRL.P.NO.1239 OF 2020

BAIL.

