

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

**THE HONOURABLE SRI JUSTICE M.LAXMAN
AND
THE HONOURABLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY**

CRIMINAL APPEAL NO: 28 OF 2017

Criminal Appeal filed Under Section 374 (2) of Code of Criminal Procedure aggrieved by the Judgment dated.30.11.2016 passed in S.C.No.510 of 2014 on the file of the Court of the IX Additional District and Sessions Judge, Wanaparthy.

Between:

Boya Manyam, S/o. Abdullah, Age. 25 Years, Occ.Coolie, R/o. Miraspally Village, Kothakota Mandal, Mahaboob Nagar District, Telangana State.

...Appellant(Accused)

AND

The State of Telangana, through Inspector of Police, P.S., Kothakota, Wanaparthy Mahabobnagar District, represented by Public Prosecutor, High Court, Hyderabad.

...Respondent (Complainant)

Counsel for the Appellant: SRI P. PRABHAKAR REDDY

Counsel for the Respondent: THE PUBLIC PROSECUTOR

The Court Ordered as follows:

**THE HON'BLE SRI JUSTICE M.LAXMAN
AND
THE HON'BLE SMT. JUSTICE G. ANUPAMA CHAKRAVARTHY**

CRIMINAL APPEAL No.28 OF 2017

ADVANCE JUDGMENT: *(per Hon'ble Sri Justice M.Laxman)*

In the result, the Criminal Appeal is allowed. The judgment and sentence imposed by the IX Additional District and Sessions Judge, Wanaparthy, against the accused in Sessions Case No.510 of 2014, dated 30.11.2016, for the offences under Sections 302 and 411 of IPC, is hereby set aside and the accused is acquitted for the said offences. The appellant/accused shall be set at liberty forthwith unless his detention is required in connection with any other case. The fine amounts, if any, paid by him shall be refunded.

(Detailed Judgment follows.....)

//TRUE COPY//

SD/- B.S. CHIRANJEEVI
JOINT REGISTRAR

SECTION OFFICER

To,

1. The IX Additional District and Sessions Judge, Wanaparthy, Mahaboobnagar District(With records)
2. The Judicial Magistrate of First Class, Wanaparthy, Mahaboobnagar District.
3. The Station House Officer, Kothakota Police Station, Wanaparthy, Mahaboob Nagar District.
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
5. The Superintendent Central Prison, Cherlapally, Ranga Reddy District. (By **Special Messenger**)
6. The Officer-in-Charge, Sub-Jail, Kalwakurthy, Nagarkurnool District.(BY **SPEED POST**)
7. One CC to Sri P. Prabhakar Reddy, Advocate [OPUC]
8. Two CD Copies

MMK

HIGH COURT

ML, J
&
GAC, J

DATED:31/01/2023

ADVANCE JUDGMENT

CRLA.No.28 of 2017



ALLOWING THE CRIMINAL APPEAL

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31/01/2023