

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.11792 of 2022

ORDER:

1. Invoking Section 439 Cr.P.C, the present Criminal Petition is filed on behalf of the petitioners, who are arrayed as Accused Nos.6, 8, 9, 11, 12 & 14 in Crime No.170 of 2022 of Mulugu Police Station, Mulugu District, with a request to enlarge them on bail.

2. Heard Sri P.Prabhakar Reddy, learned counsel for the petitioners as well as the learned Additional Public Prosecutor who is representing the Respondent-State.

3. The brief facts of the case which are borne by record are that there was rivalry between the deceased-Malla Reddy (hereinafter be referred as 'the deceased' for brevity) and Accused Nos.1 to 3 in respect of landed property and Red Soil Mining business. Accused Nos.1 to 3 decided to kill the deceased. They paid huge amount to Accused No.4, who agreed to kill the deceased. Accused No.4 in turn engaged Accused No.6 for doing so by taking supari. On that, a plan was executed and ultimately, the deceased was brutally killed.

4. Making his submission, learned counsel for the petitioners states that the petitioners have not committed any offences whatsoever and there is no material on record to connect the petitioners with the crime and therefore, they may be enlarged on bail.

5. Disputing the submission thus made, the learned Additional Public Prosecutor states that it is the petitioner Nos.1, 2 & 5 i.e. Accused Nos.6, 8 & 12 who took positions and it is the Petitioner Nos.2 & 4 i.e. Accused Nos.8 & 11 who dragged the deceased to the nearby bushes and stabbed him to death. Learned Additional Public Prosecutor also states that at the time of killing the deceased, the 1st petitioner i.e., Accused No.6 and the 5th petitioner i.e., Accused No.12 detained the *de facto* complainant and thereby aided in killing the deceased. Learned Additional Public Prosecutor further submits that Petitioner No.3 i.e., Accused No.9 and Petitioner No.6 i.e., Accused No.14 followed the deceased and observed his movements. The contents of the charge sheet which is available on record discloses grave allegations against the petitioners. Further, *prima facie* case is found against

the petitioners. This Court does not find any change of circumstances for taking a different view from the date of dismissal of earlier application filed for grant of same relief vide Criminal Petition No.10704 of 2022.

6. Therefore, the Criminal Petition stands dismissed.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date: 15.02.2023

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