

IN THE HIGH COURT OF JUDICATURE: ANDHRA PRADESH: AT HYDERABAD

MONDAY THE TWENTY SIXTH DAY OF FEBRUARY TWO THOUSAND ONE

PRESENT:

ITRNDG HSH

THE HON'BLE MR. JUSTICE: VAMAN RAO

CRL.P.NO. 645 of 2001

Between:-

1. Paritala Sivarama Krishna (A1)
2. Paritala Saradha Devi (A2)

...Petitioners/accused are in
crime No. 58/2000 of Jeelugumilli
Police Station)

AND

State of A.P., rep. by P.P.

... Respondent/Complainant)

Counsel for Petitioners: Mr. C. Praveen Kumar

Counsel for Respondent: The Public Prosecutor.

Petition filed under Section 438 Cr.P.C. praying the High Court to direct the Station House Officer, Jeelugumilli Police Station to release the petitioners on bail in the event of their arrest in connection with crime No. 58 of 2000 of Jeelugumilli Police Station, West Godavari Dist.

THE COURT MADE THE FOLLOWING ORDER: c&

The petitioners are accused of the offences under Sections 147, 148, 149, 307 r/w. Section 149 IPC, and under Section 25 of Indian Arms Act. The allegation against the petitioners is that they lead a mob of tribals in attacking non-tribals in respect of some dispute as to occupation of land. The contention of the learned counsel for the petitioners is firstly there are no overt-acts attributed to the petitioners and that they have been included in the F.I.R. in an omnibus manner stating that they were leading the tribals. It is then pointed out by the learned counsel for the petitioners that the police has been registering a number of cases against the petitioners along with tribals and in all such cases the petitioners have been granted anticipatory bail by this Court. The learned Public Prosecutor also states that it is true that the petitioners have been granted anticipatory bail in a number of cases which were registered against them.

Considering these circumstances, it appears a fit case where anticipatory bail can be granted. Accordingly, the petition is allowed. It is directed that in the event of arrest of the petitioners in Crime No. 58 of 2000 of Jeelugumilli Police Station they shall be released on bail on their executing a personal bond in a sum of Rs.10,000/- (Rupees Ten thousand only) with one surety each for the like sum to the satisfaction of the arresting police officer.

Sd/- P.V.Radha Krishna R.
Asst. Registrar.

// true copy //

For Asst. Registrar.

- To
1. The Station House Officer, Jeelugumilli Police Station, W.G.Dist.
 2. The II. Addl. Sessions Judge, Eluru, W.G.Dist.
 3. Two ccs to the P.P., High Court of A.P.Hyd. (OUT)
 4. One cc to Mr. C. Praveen Kumar, Advocate (OPUC)
 5. One spare copy.

K.C.M.

Present: Sat. K. Sivarajala, M.A., B.L.
II Additional Sessions Judge.

Monday, the 11th day of December, 2000.

Cr. M.P. No: 2700/2000
Cr. No: 58/2000 of Jeelugumilli PS.

Between:

1. Piratla Sivarama Krishna
2. Piratla Sarada Devi.

and ...Petitioners/A1 and A2

State S.H.O., Jeelugumilli PS
rep., by Public Prosecutor, W.G.

...Respondent/Complainant.

Petition filed under section ~~438~~ 438 Cr.P.C on behalf of the Petitioners praying to grant anticipatory bail to the Petitioners.

This Petition coming on this day, before me for hearing in the presence of Sri. A.V.V.S.S.R.K. Chowdary, Advocate for the Petitioners and of Sri. M.V. Nandakumar, Additional Public Prosecutor for the Respondent, the court made the following:

O R D E R

The Petitioners are charged under sections 147, 148, 324, 307 r/w 149 and sec. 25 of Indian Arms Act. The allegation against the Petitioners is that they are inciting the tribals against non-tribals and thereby disturbing the peace in of the society in the tribal area. These Petitioners are ~~the~~ motivating the tribals and they are responsible for the ~~disturbances~~ disturbances in the tribal area. In anticipation of their arrest they filed the present petition. The circumstances does not warrant to grant any anticipatory bail.

2. In the result, the Petition is dismissed.

Dictated to the shorthandwriter,
transcribed by him, corrected and
pronounced by me in open court;
this the 11th day of December, 2000.

II ADDITIONAL SESSIONS JUDGE,
W.G., LURU.

Between:

1. Dr. Piratla Siva Rama Krishna
2. Smt. Piratla Sarada Devi

..Petitioners/Accused 1 and 2 in
Cr.NO.42/97 of Jeelugumilli
Police Station West Godavari Dist.

AND

State of A.P., rep. by Public Prosecutor.

..Respondent/Complainant.

Counsel for Petitioner: Mr. C. Praveen Kumar, Advocate.

Counsel for Respondent: The Public Prosecutor

MONDAY THE TWENTY EIGHTH DAY OF JULY, 1997

CORAM: THE HON'BLE SRI JUSTICE A.S. BHATE

Petition filed under section 438 Cr.P.C. Praying the High Court to direct the station House Officer, Jeelugumilli Police Station, West Godavari Dist., to release the petitioners on bail in the event of their arrest in connection with Cr.NO.42/97 of Jeelugumilli Police Station, West Godavari Dist.,

THE COURT MADE THE FOLLOWING ORDER:

This is a peculiar case where the petitioners deserve to be released on anticipatory bail even though the offences alleged are apparently of serious nature. Upon hearing learned counsel for petitioner and learned Public Prosecutor one thing is clear that the petitioners are not criminals in the sense normally understood, they are infact leading a social organisation for the benefit of tribal people. The main allegation over the petitioners is that they are instigating the tribals to grab or take possession of lands from the forest area which are in possession of non tribals. However, that is not indicated anywhere that the petitioners have directly or indirectly instigated or exhorted the tribals to commit assaults or murders. The Murder which is an offence registered in the case is apparently outcome of some incident at the spur of moment. We are not concerned with that, the role of the petitioners who are prima facie social workers is such as it does not justify arresting them for offence of murder as such. In fact the police could have vigilant and could have taken appropriate preventive steps under the chapter proceeding of Cr.P.C. if they were aware of the object for the agitation that was being conducted. However, one thing prima facie appears clearly that the petitioners though are trying to lead the tribals for obtaining social justice for them are really not in a position to control the tribals at all levels.

In the circumstances, I am of the view that though the petitioners deserve to be released on anticipatory bail certain conditions will have to be imposed on them. In the circumstances in the event of arrest in Cr.NO.42/97 of Jeelugumilli P.S. the petitioners are directed to be released on bail on execution of bond for Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for the like sum to the satisfaction of Station House Officer, Jeelugumilli Police Station, West Godavari District. The Petitioners are further directed to confine themselves within the limits of Rampachodavaram Mandal and shall report to police station Jeelugumilli on every tuesday and friday between 4.00 to 6.00 P.M. till further orders. The Petitioners shall not move a petition for relaxation of bail conditions for next two months.

They are also permitted to attend any court proceedings pending against them or to comply any court order which is passed against them.

SD/- P.VANA KUMARI
ASST.REGISTRAR.

|| TRUE COPY ||

FOR ASST.REGISTRAR

TO,

- 1.The Station House Officer, Jeeligumilli Police station, West Godavari Dist.
- 2.The I Addl.Sessions Judge, Eluru West Godavari Dist.
- 3.The Sub-Divisional Magistrate, Kovvuru, W.G.District.
- 4.Two CCs to the Public prosecutor, High Court, Hyderabad.(OUT).
- 5.One spare copy.
- 6.The Director General of Police, Hyderabad.
- 7.One CC to Mr.C.Praveen Kumar, Advocate (OPUC).

IN THE HIGH COURT OF JUDICATURE: ANDHRA PRADESH: AT HYDERABAD
FRIDAY, THE SIXTEENTH DAY OF MARCH,
TWO THOUSAND AND ONE

PRESENT
THE HONOURABLE MR. JUSTICE: R. RAMANUJAM

CRIMINAL MISC. PETITION NO: 1262 of 2001

Between:-

1. Dr. P. Sivarama Kirshna (A1)
2. P. Sharada Devi (A2)

...petitioners
(Petitioners in Cr.P.NO.1033/
2001 on the file of the
High Court)

and

State of A.P. Rep: by public prosecutor

...Respondent
(Respondent in-do-)

COUNSEL FOR THE PETITIONERS: MR. C. PRAVEEN KUMAR
COUNSEL FOR THE RESPONDENT: THE PUBLIC PROSECUTOR

Petition filed under section 482 of Cr.P.C. praying the High Court to stay the investigation in Cr.NO.15/2001 of Jeelugumilli police station, W.G.District pending disposal of Cr.P.NO.1033/2001 presented to the High Court to quash the investigation into Cr.No.15/2001 of Jeelugumilli police station.

THE COURT MADE THE FOLLOWING ORDER

ORDER:

" INTERIM STAY".

Sd/- T.R. RATNA KUMAR,
ASST. REGISTRAR

|| TRUE COPY ||

FOR ASST. REGISTRAR

To

1. The Station House officer, Teelugumilli police station, W.G.Dt.,
2. One CC to Mr. C. Praveen kumar, Advocate (OPUC)
3. Two CCs to the public prosecutor, High Court of A.P., Hyd (OUT)
4. One spare copy.

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT
THE HON'BLE MR JUSTICE V.V.S.RAO
CRIMINAL PETITION NO : 4624 of 2002

Between:

P.Sivarama Krishna, S/o.Narsaiah,
R/o.Hyderabad.

..... PETITIONER/Accused No.1

AND

- 1 Smt.Kuram Nagamani, W/o.Nagulu, (Complainant)
Kotha Cheemalavari Gudem, Jeelugumilli Mandal,
West Godavari District.
- 2 The State of A.P.represented by the Public Prosecutor.

.....RESPONDENTS

Petition under Section 482 of CrI.P.C praying that in the circumstances stated in the memorandum of grounds filed therewith, the High Court will be pleased to quash the investigation in Cr.No.110/98 of Jeelugumilli Police Station West Godavari Dist against the petitioner/Accused No.1.

The Petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Mr.C.PRAVEEN KUMAR, Advocate for the Petitioner and of Mr. K.S.Murthy, Advocate for the Respondent No.1 and of the Public Prosecutor, on behalf of the Respondent No.2.

The Court made the following Order:

Contd..

CRIMINAL PETITION No. 4624 of 2002

ORDER:

The petitioner is the Director of Sakti a voluntary organization working for the welfare of tribals. He is shown as accused in Crime No.110 of 1998 of P.S.Jeeligumilli, West Godavari District, on a complaint given by the first respondent herein. After receiving notice, the first respondent appeared through the counsel and filed an affidavit to the effect that some of the people styling themselves to be the members of 'Yuva Sakti' organization, obtained her signatures to file false report and that after coming to know about the same, she went to the Police and informed about the same. She also states in her affidavit that she is an illiterate and she only knows to sign in telugu and she does not know how to write and read. In view of the affidavit filed by the first respondent, which is made part of the record, it has to be concluded that the complaint allegedly filed by the first respondent is false and no such complaint is filed by her.

This criminal petition is therefore allowed. Crime No.110 of 1998 of P.S.Jeeligumilli, West Godavari District, under Sections 354 and 506 of the Indian Penal Code, 1860 and under Section 3(1)(x) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989, is quashed.

// TRUE COPY //

Sd/- N.MURALIDHAR RAO
ASSISTANT REGISTRAR


SECTION OFFICER

To

1. The Station House Officer, Jeeligumilli Police Station, West Godavari District.
2. Two CCs to the Public Prosecutor, High Court of A.P. Hyderabad (O.U.T).
3. Two C.D. Copies.

MRC*