

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE FIFTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR ✓



:PRESENT: ✓

THE HONOURABLE SRI JUSTICE K SURESH REDDY ✓

AND

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY ✓

IA No. 1 OF 2024 ✓

IN ✓

CRLA NO: 158 OF 2020 ✓

Between:

M.Ramu, S/o. Chinnayya, Aged about 45 years, Garapeta @
Krishnapuram Village, Ponduru Mandal, Srikakulam District. ✓

...Appellant/Accused ✓

(Petitioner in CRLA 158 OF 2020
on the file of High Court)

AND

The State of Andhra Pradesh, rep.by Public Prosecutor, High Court of
Andhra Pradesh.

...Respondent/Complainant

Petition under Section 430 (1&2) of BNSS [old u/sec.389(1) of CrPC
is filed praying that in the circumstances stated in the grounds filed in
support of the petition, the High Court may be pleased to suspend the
execution of the sentence passed in SC No. 6 of 2018 on the file of Family
Court-cum-III Additional District & Sessions Judge, Srikakulam, judgement
dated 22-11-2018, and release the petitioner on bail, Pending disposal of
CRLA No. 158 of 2020, on the file of the High Court. ✓

Counsel for the Petitioner :SRI G VIJAYA SARADHI ✓

Counsel for the Respondent :PUBLIC PROSECUTOR ✓

ORDER:

"The present application is filed by the petitioner/appellant/Accused under Section 389 (1) of Cr.P.C., seeking his release on bail by suspending the sentence of imprisonment imposed by the learned III Additional District and Sessions Judge, Srikakulam, vide S.C.No.6 of 2018, dated 22.11.2018, pending the present Criminal Appeal before this Court. ✓

2. The learned counsel for the petitioner/ appellant contends that immediately after pronouncement of judgment, the petitioner/appellant/Accused was taken into custody and he is undergoing imprisonment in Central Prison, Visakhapatnam. He further contends that the petitioner/appellant/Accused has already served five (05) years of actual sentence. The learned counsel for the petitioner/appellant further contends that as the appeal is of the year-2020, it takes some more time to come up for "Final Hearing". As such, he requests this Court to enlarge the petitioner/appellant/Accused on bail in terms of the order passed by the Combined High Court in **Batchu Rangarao and others Vs The State of Andhra Pradesh (Crl.A.M.P.No.1687 of 2016 in Crl.A.No.607 of 2011)**. ✓

3. On the other hand, the learned Assistant Public Prosecutor, on instructions, states that the case of the petitioner/appellant/Accused has not fallen within the prohibitory categories envisaged in the above referred judgment. ✓

4. In view of the same, this Court is inclined to enlarge him on bail by suspending the sentence of imprisonment imposed by the learned Sessions Judge pending the present Criminal Appeal. ✓

5. The petitioner/appellant/Accused is directed to be released on bail on his executing personal bond for Rs.10,000/- (Rupees Ten

Thousand only) with two (02) sureties for a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Ponduru. ✓

6. The petitioner/appellant/Accused is directed to report before the Station House Officer concerned, once in a month i.e., 1st of every month. The petitioner/appellant/Accused is also directed to appear before this Court whenever the case stands posted for hearing.

7. Accordingly, with the above directions, this application is allowed." ✓

SD/- M.PRABHAKARA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For A

To,

1. The Judicial Magistrate of First Class, Pondur ✓
2. The Family Court-cum-III Additional District & Sessions Judge, Srikakulam. ✓
3. The Superintendent, Central Prison, Visakhapatnam. ✓
4. The Inspector of Police, J.R. Puram, Srikakulam District ✓
5. One CC to SRI. G VIJAYA SARADHI Advocate [OPUC]
6. Two CCs to Public Prosecutor, High Court of AP [OUT]
7. Two spare copies ✓

KJ

HIGH COURT

KSR,J &
SRK,J

DATED:05/09/2024

ORDER

IA No. 1 OF 2024

IN

CRLA.No.158 of 2020

IA NO.1 ALLOWED

