

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE THIRD DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY



:PRESENT:
THE HONOURABLE SRI JUSTICE RAKESH KUMAR
CRIMINAL APPEAL NO: 1044 OF 2009

Between:

Bethireddy Ramanaiah,, S/o Venkaiah.

... Apellant/Accused

AND

The Sate of Andhra Pradesh, Through the Prohibition Exise Inspector, Chimakurthy,
Prakasam Dist. Rep. by the Public Prosecutor, High Court of A.P., Hyderabad.

... Respodent/Complainant

Petition under Section 374(2) of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Appeal, the High Court may be pleased to set aside by the Judgment in S.C.No.6/2008 on the file of the Speical Judge for N.D.P.S.Cases-cum-Additional. District & Sessions Judge, Ongole, dated 21.07.09.

IA NO: 1 OF 2009 (Crl AM P No. 2145 of 2009)

Petition under Section 389(1) of CRL.P.C praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to suspend the operation of the sentence and fine in the Judgment made in S.C.No.6/2008, dated 21.07.09 on the file of the Spl. Judge for N.D.P.S.Cases-cum-Addl. Dist. & Sessions Judge, Ongole, Prakasam District and enlarge the petitioner on Bail, Pending disposal of CRLA 1044 of 2009, on the file of the High Court.

The Appeal coming on for hearing, upon perusing the grounds filed in support thereof and upon hearing the arguments of Sri P Sridhar Reddy Advocate for the Affidavit, and of Public Prosecutor for the Respondent, the Court made the following.

ORDER:

"[Proceedings taken up through Video Conferencing]"

Sri P.Sridhar Reddy, learned counsel for the appellant submits that during the pendency of the appeal, the sole appellant died; and, as such, the appeal has abated. He requests some time for bringing on record the death certificate of the appellant.

He may file such an affidavit within three weeks from today.

In the meanwhile, call for a report from the Superintendent of Police, Prakasam District, Ongole, regarding the status of the appellant, who was convicted for the offence punishable under Section 20(b)(ii)(C) r/w Section 8(c) of the Narcotic Drugs and Psychotropic Substances Act and was sentenced to undergo Rigorous Imprisonment for 10 years and to pay a fine of Rs.1,00,000/- in S.C.No.6 of 2008 on the file of Special Judge for NDPS Cases-cum-Additional District &

Sessions Judge, Ongole, arising out of P.R.No.85 of 2007-2008 of Prohibition and Excise Station, Chimakurthy.

The report of the Superintendent of Police may reach this Court within a period of four weeks from the date of receipt of a copy of this order.

Pup up on 01.10.2020 as a first case under the caption 'Final Hearing'."

Sd/-M.SURYANADHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Special Judge for N.D.P.S.Cases-cum-Addl. Dist. & Sessions Judge, Ongole, Prakasam District
2. The Superintendent of Police, Prakasam District.
3. The Superintendent, Central Prison, Nellore.
4. The Station House Officer, Proh.and Excise, Chimakurthy, Prakasam District.
5. One CC to Sri. P Sridhar Reddy Advocate [OPUC]
6. Two CC's to Public Prosecutor, High Court of AP, Amaravati[OUT]
7. One spare copy

PR

HIGH COURT

RKJ

DATED:03/09/2020

PUP UP ON 01.10.2020 AS A FIRST CASE UNDER THE CAPTION FINAL HEARING

ORDER

CRLA.No.1044 of 2009

DIRECTION

