

[3521]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE THIRTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO
CRIMINAL REVISION CASE NO: 809 OF 2009

Between:

P.Sudhakar, S/o late Dharma Rao, Hindu, Aged 36 years, D.No.4-66-1,
Lawsonsbay Colony, Visakhapatnam.

Petitioner/Appellant/Accused

AND

1. Kuchipudi Venkata Srinivasa Rao, S/o Rama Rao, Hindu, aged 35 years, R/o Madhurnagar, Visakhapatnam.
2. The State of A.P., Rep. by the Public Prosecutor, High Court of A.P., Hyderabad.

Respondent/Respondent/Respondent

Revision filed under Section 397 and 401 of Cr.P.C.(Section 438 & 442 of BNSS), praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Revision Case, against the Judgment in Crl.A.No.114 of 2006 on the file of the Court of the I Addl. Metropolitan Sessions Judge, dated 13.05.09 and modifying the Judgment in C.C.No.408 of 2006 on the file of the Court of the II Metropolitan Magistrate for Railways, Visakhapatnam, dt. 21-9-2006.

IA NO: 2 OF 2009 (CRLRC.MP.No.1113 of 2009)

Revision filed under Section 397(1) praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Revision Case, the High Court may be pleased to release the petitioner on bail by suspending the judgment dt. 13.05.09 in Crl.A.No.114/2006 on the file of the Court of the I Additional Metropolitan Sessions Judge, Visakhapatnam, Pending disposal of CRLRC 809 of 2009, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and the earlier order of the High Court dated 20.05.2009 made in CRLRC.MP.No.1113 of 2009 and upon hearing the arguments of Sri T M K CHAITANYA, Advocate for the Petitioner(Not appeared) and of PUBLIC PROSECUTOR for Respondent No.2, the Court made the following

ORDER

“No representation for the petitioner.

No proof is filed to show that notice on respondent No.1 is taken requiring him to engage a new counsel.

It is represented that Sri Ch.Shanmukha Rao, learned counsel for the respondent No.1 has been appointed a Member of District Consumer Commission, Srikakulam.

Registry is directed to delete the name of Sri Ch.Shanmukha Rao as learned counsel for the respondent No.1.

This Revision was filed challenging the concurrent conviction for the alleged offence under Section 138 of N.I. Act.

Issue Bailable warrant to the petitioner through the Superintendent of Police as the Revision case is of the year 2009, which is one of the oldest cases pending on the file of this Court.

On arrest of the Petitioner he shall be released on bail on his executing a personal bond for Rs.10,000/- (Rupees Ten Thousand Only) with two sureties for a like sum each to the satisfaction of the learned II Metropolitan Magistrate for Railways, Visakhapatnam, who passed judgment in C.C.No.408 of 2006 (Old C.C.No.61 of 2004). The learned II Metropolitan Magistrate for Railways, Visakhapatnam shall obtain undertaking affidavit from the petitioner duly stating that he would give instructions to his counsel for disposing of the case on merits.

The order of this Court dated 20.05.2009, suspending the sentence of imprisonment of the petitioner is hereby recalled.

Copy of the same shall be marked to the Superintendent of Police concerned.

Post on 17.04.2025."

Sd/- S V S R MURTHY

JOINT REGISTRAR

//TRUE COPY//



For ASSISTANT REGISTRAR

To,

1. The Registrar (Judicial), High Court of Andhra Pradesh at Amaravati.
2. **The II Metropolitan Magistrate for Railways, Visakhapatnam.**
3. The Commissioner of Police, Visakhapatnam, Visakhapatnam District.(SPEED POST)
4. One CC to SRI. T M K CHAITANYA Advocate [OPUC]
5. The Section Officer, Criminal Section, High Court of A.P.
6. Two CCs to the PUBLIC PROSECUTOR, High Court of A.P [OPUC]
7. One spare copy

psk

HIGH COURT

DR.YLR,J

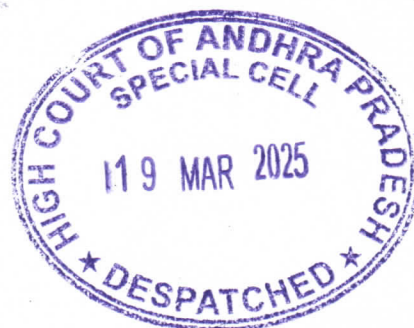
DATED:13/03/2025

POST ON 17.04.2025

ORDER

CRLRC.No.809 of 2009

ORDER OF WARRANT



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE THIRTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE DR JUSTICE Y. LAKSHMANA RAO
CRIMINAL REVISION CASE NO: 809 OF 2009



Between:

P.Sudhakar, S/o late Dharma Rao, Hindu, Aged 36 years, D.No.4-66-1,
Lawsonsbay Colony, Visakhapatnam.

Petitioner/Appellant/Accused

AND

1. Kuchipudi Venkata Srinivasa Rao , S/o Rama Rao, Hindu, aged 35 years, R/o Madhurnagar, Visakhapatnam.
2. The State of A.P., Rep. by the Public Prosecutor, High Court of A.P., Hyderabad.

Respondent/Respondent/Respondent

Whereas, Revision filed under Section 397 and 401 of Cr.P.C.(Section 438 & 442 of BNSS), praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Revision Case, against the Judgment in Crl.A.No.114 of 2006 on the file of the Court of the I Addl. Metropolitan Sessions Judge, dated 13.05.09 and modifying the Judgment in C.C.No.408 of 2006 on the file of the Court of the II Metropolitan Magistrate for Railways, Visakhapatnam, dt. 21-9-2006.

And Whereas, the Court upon perusing the Petition and the memorandum of grounds filed in support thereof and the earlier order of the High Court dated 20.05.2009 made in CRLRC.MP.No.1113 of 2009 and upon hearing the arguments of Sri T M K CHAITANYA, Advocate for the Petitioner(Not appeared) and of PUBLIC PROSECUTOR for Respondent No.2, directed the Registry to issue Bailable warrant through the Superintendent of Police concerned.

Therefore you viz;

The Commissioner of Police, Visakhapatnam, Visakhapatnam District.

are hereby directed to arrest the said revision **Petitioner/Appellant/Accused** viz; P.Sudhakar, S/o late Dharma Rao, Hindu, Aged 36 years, D.No.4-66-1, Lawsonsbay Colony, Visakhapatnam, wherever he is found and produce him bodily under safe custody and conduct before the II Metropolitan Magistrate for Railways, Visakhapatnam.

On such production, **II Metropolitan Magistrate for Railways, Visakhapatnam** shall release the Petitioner/Accused, if the petitioner furnishes a personal bond for a sum of **Rs.10,000/-** (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of **II Metropolitan Magistrate for Railways, Visakhapatnam** and the Petitioner shall also submit an undertaking to the Court that he would give necessary instructions to his counsel before the High Court for disposal of the revision case on merits.

You are also further directed to return this warrant as early as possible preferably on or before **17.04.2025** to this Court with a detailed report stating the manner in which it has been executed.

Herein fail not.


18/3/2025
JOINT REGISTRAR

To,

1. The Registrar (Judicial), High Court of Andhra Pradesh at Amaravati.
2. **The II Metropolitan Magistrate for Railways, Visakhapatnam.**
3. The Commissioner of Police, Visakhapatnam, Visakhapatnam District.(SPEED POST)
4. One spare copy

psk

HIGH COURT

DR.YLR,J

DATED:13/03/2025

POST ON 17.04.2025

ORDER

CRLRC.No.809 of 2009

BAILABLE WARRANT

