

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE TWENTY NINTH DAY OF JULY

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K SURESH REDDY

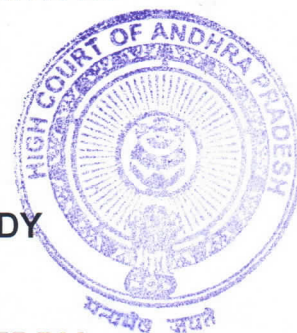
AND

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

IA No. 1 OF 2019

IN

CRLA NO: 389 OF 2019



Between:

Kurukundula Koteswara Rao, S/o Ramaiah, Hindu, aged about 45 years, R/o Rachamallapadu Village, Veldurthi Mandal Guntur Dist., at present Palnadu Dist. Now in Central Prism Rajamahendravaram.

.Appellant/Accused No:1

(Petitioner in CRLA 389 OF 2019

on the file of High Court)

AND

The state of Andhra Pradesh, Represented by its Public Prosecutor, High Court of Andhra Pradesh at Amaravathi

...Respondent

(Respondents in-do-)

Counsel for the Petitioner : SRI SRINIVASA RAO G CH

Counsel for the Respondent :PUBLIC PROSECUTOR (AP)

Petition under Section 430 (1) (Old Section 389 (1) 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 grant bail to the petitioner/Appellant after suspending the sentence passing by the X Addl.

Dist. and Sessions Judge, Gurazala. In Sessions case No: 423/2013 dt: 14-06-2018 against the petitioner/appellant pending disposal of the criminal appeal and such for other or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

—The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

The present application is filed by the petitioner/appellant/Accused No.1 under Section 389 (1) of Cr.P.C., seeking his release on bail by suspending the sentence of imprisonment imposed by the learned X Additional District and Sessions Judge, Gurazala, vide S.C.No.423 of 2013, dated 14.06.2018, 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 No.1 was taken into custody and he is undergoing imprisonment in Central Jail, Rajahmundry. He further contends that the petitioner/appellant/Accused No.1 has already served six (06) years of actual sentence. The learned counsel for the petitioner/appellant further contends that as the appeal is of the year-2019, it takes some more time to come up for "Final Hearing". As such, he requests this Court to enlarge the petitioner/appellant/Accused No.1 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 No.1 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 No.1 is directed to be released on bail on his executing a personal bond for Rs.20,000/- (Rupees Twenty Thousand only) with two (02) sureties for a like sum each to the satisfaction of the learned Additional Junior Civil Judge, Macherla.

6. The petitioner/appellant/Accused No.1 is directed to report before the Station House Officer concerned, once in a month i.e., 1st of every month. The petitioner/appellant/Accused No.1 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/-B.CHITTI JOSEPH
ASSISTANT REGISTRAR

SECTION OFFICER

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To,

1. X Addl. Dist. and Sessions Judge, Gurazala
2. The Superintendent, Central Prison, Rajamahendravaram
3. The S.H.O., Veldurthi Police Station
4. One CC to SRI. SRINIVASA RAO G CH Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. Two spare copies

KJ

HIGH COURT

KSR,J &
SRK,J

DATED:29/07/2024

ORDER

IA No. 1 OF 2019

IN

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DIRECTION

