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HIGH COURT OF ANDHRA PRADESH::AT AMARAVATI

MAIN CASE No.CrI.A.No.823 of 2019

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
8.	02.12.2024	<p><u>KSR,J & SRK,J</u></p> <p><i>(per Hon'ble Sri Justice K.Sreenivasa Reddy)</i></p> <p><u>I.A.No.2 of 2024</u></p> <p>The present application is filed by the petitioner/appellant/Accused under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking his release on bail by suspending the sentence of imprisonment imposed by the learned Principal District & Sessions Judge, Nellore, <i>vide</i> S.C.No.14 of 2018, dated 19.02.2019, pending the present Criminal Appeal before this Court.</p> <p>2. The learned counsel for the petitioner/appellant/Accused contends that immediately after pronouncement of judgment, the petitioner/appellant/Accused was taken into custody and he is undergoing imprisonment in Central Prison, Nellore. He further contends that the petitioner/appellant/ Accused has already served five (05) years of actual sentence. The learned counsel for the petitioner/appellant/ Accused further contends that as the appeal is of the year-</p>	Contd.,

		<p>2019, 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 dated 02.11.2016 passed by the Combined High Court in <i>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)</i>.</p> <p>3. On the other hand, the learned Additional 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 order.</p> <p>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.</p> <p>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 II Additional Judicial Magistrate of First Class, Nellore.</p>	Contd.,
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	<p>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.</p> <p>7. Accordingly, with the above directions, this application is allowed.</p> <p style="text-align: right;">K.SURESH REDDY,J</p> <p style="text-align: right;">K. SREENIVASA REDDY,J</p> <p>SAB / TSNR</p>	
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