

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: CrI.A.No.94 of 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
02.	18.02.2026	<u>BVLNC, J</u> <u>I.A.No.01 of 2026</u> Heard Sri A. Venkata Durga Rao, learned counsel for the petitioners/appellants/Accused Nos. 1 to 3, and the learned Additional Public Prosecutor representing the respondent–State. 2. The petitioners/appellants are Accused Nos. 1 to 3 in S.C. No. 131 of 2024 on the file of the learned III Additional District and Sessions Judge, Vijayawada. 3. The learned counsel for the petitioners/appellants submits that the petitioners were found guilty of the offence under Sections 342, 328, and 394 IPC. Accordingly, they were convicted under Section 235(2) Cr.P.C. and sentenced as follows: (a) For the offence punishable under Section 342 IPC, they are sentenced to pay a fine of Rs.500/- each (Rupees Five Hundred only).	

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		(b) For the offence punishable under Section 328 IPC, they are sentenced to undergo rigorous imprisonment for a period of five (5) years each and to pay a fine of Rs.5,000/- each (Rupees Five Thousand only), in default of payment of fine, to undergo simple imprisonment for a period of six (6) months each. (c) For the offence punishable under Section 394 IPC, they are sentenced to undergo rigorous imprisonment for a period of five (5) years each and to pay a fine of Rs.5,000/- each (Rupees Five Thousand only), in default of payment of fine, to undergo simple imprisonment for a period of six (6) months each. 4. The learned counsel submits that the learned trial Court erroneously convicted the petitioners/appellants without appreciating the facts in proper perspective. Hence, the petitioners/appellants preferred the appeal challenging the judgment of the trial Court on various grounds. He further submits that the sentence imposed by the learned trial Court is a fixed sentence for a period of five (5) years; that there are fair chances of	

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		succeeding in the appeal; and that there is no likelihood of the appeal being taken up in the near future. He further submits that the petitioners/appellants are lodged in Central Prison, Rajahmundry. The learned counsel also submits that the petitioners/appellants have paid the entire fine amount and that the original receipts have been filed along with the grounds of appeal. 5. Considering the above facts and circumstances, it is prayed that the order of sentence imposed by the trial Court be suspended pending disposal of the appeal. 6. The learned Additional Public Prosecutor opposed the application; however, no written objections were filed. He further submits that no past criminal history is available against the petitioners/appellants. 7. Considering the above facts and circumstances, and as the sentence imposed by the learned trial Court is a fixed sentence of five (5) years, and as there is no likelihood of the appeal being taken up in the near future, this Court is of the considered opinion that <i>“the order of sentence of imprisonment alone imposed by the</i>	

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		<i>learned III Additional District and Sessions Judge, Vijayawada, vide judgment dated 31.01.2026 passed in S.C. No. 131 of 2024 against the petitioners/appellants, be suspended, pending disposal of the appeal, subject to the following conditions”:</i> i) The petitioners/appellants shall be enlarged on bail on executing a personal bond for Rs.25,000/- each (Rupees Twenty Five Thousand only), with two (02) sureties for a like sum each, to the satisfaction of the learned trial Court. ii) On such release, the petitioners/appellants shall appear before the learned trial Court on every fourth Saturday of the month until disposal of the appeal. iii) The petitioners/appellants shall not leave the country without prior permission of the Court. iv) The petitioners/appellants shall not involve in similar offence in future in any manner.	

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		v) If the petitioners/appellants violate any of the above conditions, the prosecution is at liberty to file an application seeking cancellation of bail. 8. Accordingly, the application is ordered. <u>BVLNC,J</u> <u>Crl.A.No.94 of 2026</u> Admit the appeal. Call for the trial Court record. Registry is directed to take steps for preparation of paper book, soon after receipt of trial Court record. List the matter in the last week of June, 2026, in usual course. <u>BVLNC, J</u> cbn	