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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY ,THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI

IA No. 1 OF 2026

IN

CRLA NO: 94 OF 2026

Between:

1. Putchakayala Naresh, S/o Narasimha Rao, aged 23 years,3-151, Near High School, Ravinuthala Village,Bonakallu Mandal, Khammam District.
2. Shaik Ahmed Alias Sameer, S/o Mohin Pasha, aged 23 years,4-49/A, Behind High School,Ravinuthala Village,Bonakallu Mandal, Khammam District.
3. Parsugani Venu Alias Nani, S/o Mansoor, aged 23 years,Ravinuthala Village,Bonakallu Mandal, Khammam District.

...Appellants/Accused No. 1 to 3

AND

The State: Inspector of Police,Governorpet Police Station, Vijayawada City
(Cr. No 208/2020 of Governorpet Police Station) Rep. by its Public
Prosecutor,State of Andhra Pradesh,High Court of Amaravathi.

...Respondent

Counsel for the Petitioner : SRI VENKATA DURGA RAO ANANTHA

Counsel for Respondent :PUBLIC PROSECUTOR

Petition under Section 389 (1) of Cr.P.C and U/SEC.430 (1) of BNSS Act is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the sentence, dated 31- 01-2026 passed by the learned VIII Additional District & Sessions Judge, Vijayawada in S.C.No.131 of 2024 by granting bail to the Petitioners/Appellants/AI to A3 during the pendency of the Criminal Appeal

before this Hon'ble Court Pending disposal of CRLA No. 94 of 2026, on the file of the High Court.

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:

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).

(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 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 *"the order of sentence of imprisonment alone imposed by the 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) 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.

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.

//TRUE COPY,

SD/-SK MD RAFI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The VIII Additional District & Sessions Judge, Vijayawada.
2. The Superintendent, Central prison, Rajamahendravaram.
3. One CC to SRI. VENKATA DURGA RAO ANANTHA Advocate
[OPUC]
4. Two CC to PUBLIC PROSECUTOR, High Court of
A.P.,Amaravati [OUT]
5. One spare copy

HIGH COURT

BVLNC,J

DATED:18/02/2026

List the matter in the last week of June, 2026, in usual course.

ORDER

I.A.No.1 of 2026

IN

CRLA.No.94 of 2026

ORDERED

