

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

:PRESENT:

HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

IA No. 2 OF 2026

IN

CRLRC NO: 140 OF 2026



Between:

Kanisetty Subba Rao, S/o. Late Chinna Subbaiah Aged about 55 years,
Occ Business, R/o. Door No. 1/324, B.C. Colony, Opp. Bajaj Show Room,
Muthukur Village, Muthukur Mandal, SPSR Nellore District.

...Petitioner/Appellant/Accused

(Petitioner in CRLRC 140 OF 2026

on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court
of A.P, Amaravathi. ...Respondent No.1

2. Shriram City Union Finance Limited., Represented by Its Authorized
Signatory, SK. Abdul Subhan, S/o. Jaffer Mohiddin, Aged about 37
years, R/o. Nellore City, SPSR Nellore District.

...Respondent No.2/Defacto Complainant

(Respondents in-do-)

— Counsel for the Petitioner :Sri.K NARSI REDDY

~ Counsel for Respondent No.1:PUBLIC PROSECUTOR

—Petition under Section 438(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 enlarge the petitioner herein on bail by suspending
the sentence imposed in the Judgment dated 24.11.2025 passed in Criminal
Appeal No.6 of 2025 on the file of the IV Additional District & Sessions Judge,
Nellore, by modifying the conviction and sentence imposed by Judgment of
the I Additional Judicial Magistrate of First Class, Nellore in C.C No.75 of 2019

dated 19.12.2024, Pending disposal of CRLRC No.140 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:

The present interlocutory application was filed under Section 438 (1) of BNSS, 2023 by the petitioners to suspend the conviction and sentence dated 19.12.2024 passed in C.C.No.75 of 2019 on the file of learned I Additional Judicial Magistrate of First Class, Nellore which was confirmed vide Judgement dated 24.11.2025 passed in CrI.A.No.6 of 2025 on the file of learned IV Additional District & Sessions Judge, Nellore and enlarge the petitioner/accused on bail, pending disposal of the main Criminal revision case.

Heard the learned counsel for the petitioner and learned Assistant Public Prosecutor on behalf of the State.

In view of the submissions made, the sentence of imprisonment alone is suspended, pending disposal of the Criminal Revision Case on the following conditions:

- i. The petitioner herein is directed to surrender before the learned I Additional Judicial Magistrate of First Class, Nellore, within one week from this day and, on such surrender, the petitioner shall be enlarged on bail on executing a personal bond for a sum of Rs.20,000/- (Rupees twenty Thousand only) with two sureties for a like sum each to the satisfaction of the learned I Additional Judicial Magistrate of First Class, Nellore, on the same day.
- ii. The petitioner shall deposit 20% of the cheque amount before the learned I Additional Judicial Magistrate of First Class, Nellore, within a period of two (2) weeks from this day. In default of deposit of cheque amount, as ordered supra, the

interim suspension granted today, shall stand cancelled automatically without further reference to the Court.

- iii. The petitions shall appear before this Court as and when directed.

//TRUE COPY//

SD/-B.CHITTI JOSEPH
DEPUTY REGISTRAR
Aw
SECTION OFFICER

To,

1. The IV Additional District & Sessions Judge, Nellore.
2. The I Additional Judicial Magistrate of First Class, Nellore
3. The Authorized Signatory, SK. Abdul Subhan, S/o. Jaffer Mohiddin
Shriram City Union Finance Limited., R/o. Nellore City, SPSR Nellore
District.(By RPAD)
4. One CC to SRI. K NARSI REDDY Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of A.P. [OUT]
6. One spare copy.

HIGH COURT

DR.VJP,J

DATED:10/02/2026

LIST THE MATTER ON 17.03.2026.

ORDER

I.A.No.1 of 2026

IN

CRLRC.No.140 of 2026

DIRECTION

