

[3566]

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

:PRESENT:

THE HONOURABLE SRI JUSTICE K SURESH REDDY
AND

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

IA No. 1 OF 2026

IN

CRLA NO: 94 OF 2025

Between:

Mamilla Jayaramaiah, @ Mavilla Jayaramaih, S/o. Late Penchalaiah,
aged 65 years, Mahimalur village, Atmakur Mandal, SPSR Nellore
District. Convict Prison No.7139.

Appellant/Accused

AND

The State of A.P., Rep. by its Public Prosecutor, High Court at
Amaravati, Through Inspector of Police, Atmakur circle P.S, SPSR
Nellore District

...Respondent/Complainant

Counsel for the Petitioner : SRI M CHALAPATI RAO

Counsel for the Respondent : PUBLIC PROSECUTOR

Petition Under Section 430(1) of BNSS,2023/Under Section 389 (1) OF
Cr.P.C 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 Judgment
of conviction Dt.13-10- 2023 passed in S.C.No. 57 OF 2022 on the file the
Principal Sessions Judge, Nellore for the offence U/sec, 302 I.P.C and release
the Petitioner/appellant on medical grounds granting him temporary bail

The Court made the following:

ORDER : *(Per Hon'ble Sri Justice K.Suresh Reddy)*

The petitioner/appellant/accused in Sessions Case No.57 of 2022 on the file of the Court of the Principal Sessions Judge, Nellore, has filed the present application under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, seeking suspension of the sentence of imprisonment imposed against him and release him on bail, pending disposal of the present Criminal Appeal.

2. Learned counsel for the petitioner submits that the petitioner is aged about 70 years and is suffering from ill-health. He further submits that earlier also, this Court, by order dated 19.11.2025, granted interim bail to the petitioner for a period of more than one month. It is further submitted that the petitioner has filed medical certificates showing that he was referred to the Pulmonology Department at Government General Hospital, Nellore, and thereafter admitted to Government General Hospital, Guntur. It is submitted that the Oncology Department at Government General Hospital, Guntur, provided treatment to the petitioner and discharged him on 03.02.2026 with advice for symptomatic treatment. It is also submitted that the petitioner has since been admitted to the Jail Hospital and is being treated in accordance with the advice of the doctors of the Oncology Department. In the above circumstances, the learned counsel for the petitioner seeks enlargement of the petitioner on bail.

3. On the other hand, the learned Additional Public Prosecutor has produced written instructions furnished by the Superintendent of Jails, Central Prison, Nellore, confirming the factum of ill-health of the petitioner. It is stated therein that the doctors are suspecting malignancy and that the petitioner was repeatedly referred to the

Oncology Department for evaluation and treatment. It is further reported that the petitioner has been diagnosed with Carcinoma of the Tongue with metastasis, microbiologically confirmed recurrent Pulmonology TB with Bilateral Fibro Bronchiectasis with Type-II DM.

4. The son of the petitioner has filed an affidavit stating that, in the event of the petitioner being released on bail, he will provide medical treatment to the petitioner at his own cost.

5. In view of the above facts and circumstances and having regard to the medical condition of the petitioner, this Court is inclined to grant interim bail to the petitioner/appellant/accused to enable him to undergo treatment, for a period of sixty-four (64) days commencing from 23.02.2026 to 27.04.2026 (both days inclusive).

6. Accordingly, this application is allowed and the petitioner/appellant/Accused is directed to be released on interim bail for a period of sixty-four (64) days i.e., from 23.02.2026 to 27.04.2026 (both days inclusive) on his executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two (02) sureties for a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Atmakur, Nellore District. The petitioner is directed to surrender before the Superintendent, Central Prison, Nellore, on or before 5.00 P.M on 27.04.2026 without fail.

//TRUE COPY//

SD/- M.PRABHAKARA RAO
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Principal Sessions Judge, Nellore.
2. The Judicial Magistrate of First Class, Atmakur, Nellore District.
3. The SHO, Atmakur Circle P.S, SPSR Nellore District (By RPAD)
4. The Superintendent, Central Prison, Nellore.
5. One CC to SRI. M CHALAPATI RAO Advocate [OPUC]
6. Two CC's to Public Prosecutor, High Court of AP at Amaravati. [OUT]
7. **One spare copy**

HIGH COURT

KSR,J
&
AHHS,J

DATED: 17/02/2026

ORDER

CRLA.No.94 of 2025

ALLOWED

