

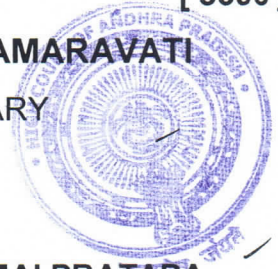
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE THIRTEENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA



IA No. 2 OF 2026

IN

CRLRC NO: 161 OF 2026

Between:

Namburi Aswin Kumar Raju, S/o N.V.G. Panduranga Raju, Hindu, aged 39 years, residing at Flat No.803, D-Block, Aditya Ocean Heights, PeddaRushikonda, Visakhapatnam.

...Petitioner/Accused

(Petitioner in CRLRC 161 OF 2026

on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Andhra Pradesh, Amaravati.
2. Borada Srinivasa Rao, S/o late Surya Prakash Rao, Hindu, aged 55 years, residing at Door No.3/66/6, Flat No.301, Sound and Sound Layout, Bakkavanipalem, Madhurawada, Visakhapatnam.

...Respondent(s)

(Respondents in-do-)

Counsel for the Petitioner : SRI ARRABOLU SAI NAVEEN

Counsel for the Respondent : PUBLIC PROSECUTOR

Petition Under Section 528 of B.N.S.S. (Old Under Section 482 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 conviction judgment dated: 02.11.2021 in C.C. No. 20/2019, on the file of Hon'ble XVI Additional Metropolitan Magistrate, Bheemunipatnam as confirmed by Appellate Court in CRLA No. 24/2021, on the file of the Hon'ble XII Addl. District & Session Judge,

Visakhapatnam vide his order dated: 30.01.2026 and Pending disposal of CRLRC No. 161 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). The Court made the following

ORDER:

“The present interlocutory application was filed under Section 438 (1) of BNSS, 2023 by the petitioners to suspend the conviction and sentence dated 02.11.2021 passed in C.C.No.20 of 2019 on the file of learned XVI Additional Metropolitan Magistrate, Bheemunipatnam, which was confirmed vide Judgement dated 30.01.2026 passed in CrI.A.No.24 of 2021 on the file of learned XII Additional District and Sessions Judge, Visakhapatnam and enlarge the petitioner/accused on bail, pending disposal of the main Criminal revision case.

Heard the learned counsel for the petitioner and the 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 XVI Additional Metropolitan Magistrate, Bheemunipatnam, 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 XVI Additional Metropolitan Magistrate, Bheemunipatnam, on the same day.**
- ii. The petitioner shall deposit 20% of the cheque amount apart from the 20% already deposited before the learned XVI Additional Metropolitan Magistrate, Bheemunipatnam, 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 petitioner shall appear before this Court as and when directed."

//TRUE COPY//

SD/-A.VIJAYA BABU
DEPUTY REGISTRAR


SECTION OFFICER

To,

- ✓ 1. The XVI Additional Metropolitan Magistrate, Bheemunipatnam.
- ✓ 2. The XII Additional District and Sessions Judge, Visakhapatnam.
- ✓ 3. Borada Srinivasa Rao, S/o late Surya Prakash Rao, Hindu, Aged 55 years, residing at Door No.3/66/6, Flat No.301, Sound and Sound Layout, Bakkavanipalem, Madhurawada, Visakhapatnam.(By RPAD)
- ✓ 4. One CC to SRI. ARRABOLU SAI NAVEEN Advocate [OPUC]
- ✓ 5. Two CC's to Public Prosecutor, High Court of AP at Amaravati. [OUT]
- ✓ 6. One spare copy

HIGH COURT

DR.VJP,J

DATED: 13/02/2026

LIST THE MATTER ON 31.03.2026

ORDER

CRLRC.No.161 of 2026

DIRECTION

