

[3396]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY ,THE SIXTEENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

IA No. 1 OF 2026

IN

CRLA NO: 97 OF 2026

Between:

1. Mudda Subba Reddy, S/o. Gangi Reddy, Aged 72 years, Occ Cultivation, R/o. Ananthasamudram Village, Pullampet Mandal, Kadapa District.
2. Mudda Subhas Reddy, S/o. Subba Reddy, Aged 40 years, Occ Cultivation, R/o. Ananthasamudram Village, Pullampet Mandal, Kadapa District.
3. S Mudda Lakshmi Narasamma, W/o. Subba Reddy Aged 70 years, Occ Cultivation, R/o. Ananthasamudram Village, Pullampet Mandal, Kadapa District.
4. Akepati Jayaram Reddy, , S/o. Venkata Reddy, Aged about 67 yrs, Occ Cultivation, R/o. Ananthasamudram Village, Pullampet Mandal, Kadapa District.
5. S Dhesu Venkata Reddy, , S/o. Chengal Reddy, Aged about 35 yrs, Occ Cultivation, R/o. Ananthasamudram Village, Pullampet Mandal, Kadapa District.

...Petitioners

(Petitioner in CRLA 97 OF 2026
on the file of High Court)

AND

1. The State of Andhra Pradesh, through the S.H.O, Pullampeta P.S., Kadapa District, Rep. by its Public Prosecutor, High Court of A.P. at Amaravati, Guntur District.
2. Yambuluru Ramanamma, W/o. Subramanyam, aged 40 years, SC-Madiga Community, Housewife, R/o. Ananthasamudram Village, Pullampet Mandal, Kadapa District.

...Respondent(s)
(Respondents in-do-)

Counsel for the Petitioner : SRI G L NAGESWAR RAO

Counsel for the Respondent No.1 :PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS Act, 2023 praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation and effect of the judgment dated 09.02.2026 in Spl.S.C.No.93 of 2018 on the file of the Hon'ble Special Sessions Judge for Trial of Offences under SC and ST (POA) Act Cases - cum- IV Addl. District & Sessions Judge, Kadapa and consequently release the appellant/Accused Nos. 1 to 5 on bail in the interest of justice Pending disposal of CRLA No.97 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 instant petition under Section 430(1) of BNSS has been filed by the Petitioners/Accused Nos.1 to 5 seeking to release them on bail by suspending the sentence of imprisonment imposed against them, pending disposal of the criminal appeal.

The Petitioners/Accused Nos.1 to 5 were convicted and sentenced to undergo simple imprisonment for one year each and to pay fine of Rs.1,000/- each IDSI for three months each for the offence under Section

506 IPC, to undergo simple imprisonment for one year each for the offence under Section 509 IPC, to undergo simple imprisonment for five years each and to pay fine of Rs.1,000/- each IDSI for three months each for the offence under Section 3(1)(x) of SCs & STs (PoA) Amendment Act, 2015 in Spl.S.C.No.93 of 2018, dated 09.02.2026 on the file of the Court of learned Special Judge for trial of cases under SCs & STs (PoA) Act-cum-IV Addl.District and Sessions Judge, Kadapa.

Heard Sri G.L.Nageswara Rao, learned counsel for the Petitioners and Sri C.Panini Somayaji, learned Addl. Public Prosecutor takes notice on behalf of State. Notice is served on Respondent No.2.

Learned counsel for the Petitioners / Accused Nos.1 to 5 would submit that, they got good grounds to succeed in the appeal. It is further submitted that the learned trial Judge failed to appreciate the material on record in a right perspective and that the conviction and sentence of imprisonment imposed against the Petitioners are not sustainable under law. It is further submitted that the Petitioners have already paid the fine amount. Learned counsel would further argue that the Petitioners are ready to furnish sureties to the satisfaction of the Court and opportunity may be given to the Petitioners to pursue their appeal by suspending the sentence of imprisonment imposed against them.

Sri L.Sai Manoj Reddy, learned counsel would submit that he received instructions from Respondent No.2 and he is going to file vakalat for Respondent No.2. Learned counsel would further submit that, appropriate conditions may be imposed against the Petitioners, in case of suspension of sentence imposed against them.

Learned Addl. Public Prosecutor opposed the petition and would submit that the Court may pass appropriate orders.

Considering the submissions made, and a bare perusal of the material on record would show that the Petitioners were on bail during trial and that no untoward incident reported against the Petitioner.

In the facts and circumstances of the case, as the Petitioners preferred appeal challenging the validity and correctness of the impugned judgment and the hearing of the appeal may take considerable time, it is apposite to suspend the sentence of imprisonment imposed against the Petitioners / Accused Nos.1 to 5 on the following terms.

Accordingly, this petition is allowed and the Petitioners / Accused Nos.1 to 5 shall be released on bail on executing personal bond for Rs.20,000/- (Rupees Twenty thousands only) each with two sureties for the like sum each to the satisfaction of the learned trial Judge.

(ii) Petitioners shall surrender their passport, if any, before the trial Court.

(iii) Petitioners shall not threaten the victim in the present case.

(iv) Petitioners shall not leave the State or country without prior permission from the Court.

(v) Petitioners shall appear before this Court as and when directed."

SD/- K J RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Sessions Judge for Trial of Offences under SC and ST (POA) Act Cases -cum- IV Addl. District & Sessions Judge, Kadapa
2. The Superintendent, Kadpa District Jail
3. The S.H.O, Pullampeta P.S., Kadapa District,
4. Yambuluru Ramanamma, W/o. Subramanyam, aged 40 years, SC-Madiga Community, Housewife, R/o. Ananthasamudram Village, Pullampet Mandal, Kadapa District.(By RPAD)
5. One CC to SRI. G L NAGESWAR RAO Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
7. One spare copy

HIGH COURT

DR.VJP,J

DATED:16/02/2026

LIST THE MATTER AFTER EIGHT (08) WEEKS.

ORDER

IA No. 1 OF 2026

IN

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DIRECTION

