

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE SEVENTEENTH DAY OF MARCH,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE SRI JUSTICE K SURESH REDDY

AND

HONOURABLE SMT JUSTICE V.SUJATHA

IA No. 1 OF 2025

IN

CRLA NO: 288 OF 2020

Between:

1. Mukthapuram Eswara Narayana Reddy @ Eswara @ Eswara Reddy, S/o Late Venkata Reddy, Aged about 36 years, R/o. Thippepalli Village, Dharmavaram mandal, Anantapuram District.
2. Kasireddy Narayan Reddy @ tholu, S/o Late Adinarayana Reddy, Aged about 42 years, R/o. Thippepalli Village, Dharmavaram mandal, Anantapuram District.

...Petitioners/Accused No.1 & 2

AND

The State, Rep. by Public Prosecutor, High Court of Andhra Pradesh,
Amaravathi.

...Respondent

Petition under Section 430 (1) BNSS and Section 389 (1) of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to release the petitioners No.1/A.1 and Petitioner No.2/A.2 on bail by suspending the execution of sentence passed in S.C.No.483/2016 on the file of IV Additional District and Session Judge-cum-Special Judge for trial of offences against women, Ananthapuramu vide its judgment dt.02.03.2020, Pending disposal of CRLA No. 288 of 2020, on the file of the High Court.

Counsel for the Petitioners : M/s OMR Law Firm

Counsel for the Respondent : Public Prosecutor (AP)

The Court made the following

ORDER:

“The present application is filed by the petitioners/appellants/A.1 and A.2 under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking their release on bail by suspending the sentence of imprisonment imposed by the learned IV Additional District and Sessions Judge-cum-Special Judge for Trial of offences against women at Ananthapuramu, vide S.C.No.483 of 2016, dated 02.03.2020, pending the present Criminal Appeal before this Court.

2. The learned counsel for the petitioners/appellants/A.1 and A.2 contends that immediately after pronouncement of judgment, the petitioners/appellants/A.1 and A.2 were taken into custody and the petitioner/appellant/A.1 is undergoing imprisonment in Central Prison, Kadapa, whereas the petitioner/appellant/A.2 is undergoing imprisonment in Central Prison, Ananthapuramu. He further contends that the petitioners/appellants/A.1 and A.2 have undergone five (05) years, three (03) months and thirteen (13) days of actual sentence. The learned counsel for the petitioners/appellants/A.1 and A.2 further contends that as the appeal is of the year-2020, it takes more time to come up for “Final Hearing”. As such, he requests this Court to enlarge the petitioners/appellants/A.1 and A.2 on bail in terms of the order, dated 02.11.2016, passed by the Combined High Court in *Batchu Rangarao and others Vs The State of Andhra Pradesh (Crl.A.M.P.No.1687 of 2016 in Crl.A.No.607 of 2011)*.

3. On the other hand, the learned Additional Public Prosecutor, on instructions, states that the case of the petitioners/appellants/A.1 and A.2 does not fall within the prohibitory categories as envisaged in the above referred order.

4. In view of the same, this Court is inclined to enlarge them on bail by suspending the sentence of imprisonment imposed by the learned Sessions Judge pending the present Criminal Appeal.

5. The petitioners/appellants/A.1 and A.2 are directed to be released on bail on their executing a personal bond for Rs.10,000/- (Rupees Ten Thousand only) each with two (02) sureties for a like sum each to the satisfaction of the learned Special Judicial Magistrate of First Class (P & E), Ananthapuramu.

6. The petitioners/appellants/A.1 and A.2 are directed to report before the Station House Officer concerned, once in a month i.e., 1st of every month. The petitioners/appellants/A.1 and A.2 are also directed to appear before this Court whenever the case stands posted for hearing.

7. Accordingly, with the above directions, this application is allowed."

//TRUE COPY//

For A

SD/- M.SRINIVAS
A ASSISTANT REGISTRAR
SECTION OFFICER

To

1. The Special Judicial Magistrate of First Class (P & E), Ananthapuramu.
2. The IV Additional District and Sessions Judge-cum-Special Judge for Trial of offences against women at Ananthapuramu

3. The Superintendent, Central Prison, Kadapa, YSR Kadapa District.
4. The Superintendent, Central Prison, Ananthapuramu.
5. One CC to M/s OMR Law Firm [OPUC]
6. Two CCs to Public Prosecutor (AP) High Court of Andhra Pradesh
[OUT]
7. **Two spare copies**

CVSS

HIGH COURT

KSR,J & VS,J

DATED:17/03/2025

ORDER

IA No. 1 OF 2025

IN

CRLA NO: 288 OF 2020

DIRECTION

