

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE TWENTIETH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

PRESENT

HON'BLE SRI JUSTICE HARINATH.N



CRIMINAL PETITION NO: 2665 OF 2025

Between:

Sailam Srinivas Rao, S/o. Subba Rao, R/o Ganapavaram (v), Nadendia Mandal Palnadu District.

...PETITIONER/PETITIONER/SURETY

AND

1. The State of Andhra Pradesh, through S.H.O., Tanuku Rural Police Station, West Godavari District, rep. by Public Prosecutor High Court, Amaravati.

**...Respondent
(Complainant/Respondent)**

2. Ravuri Koteswara Rao, S/o. Seetharamaiah Aged 50 years. Driver of Lorry bearing No. AP-16-TU-1525, D.No. 3-3-1 Murikipudi village, Chilakaluripet Mandal, Guntur District.
3. Sk. Baji, S/o. Maastan Saheb, aged about 53 years, R/o D.No. 32-421, Chilakaluripet Village and Mandal, Guntur District.

**...RESPONDENTS
(RESPONDENTS/APPELLANTS/
ACCUSED No.1 & 2)**

Petition under Section 528 of BNSS of Cr.P.C is filed praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court pleased to call for the records relating to the docket order dt.20-12-2024 passed in CrI.M.P.Sr.No1390 of 2024

 of CrI.A.No.265 of 2019 on the file of the IV Additional District & Sessions Judge, Tanuku, West Godavari and to quash the same.

I.A. NO: 1 OF 2025

Petition under Section 482 of Cr.P.C is filed praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to pass orders for return of the Term Deposit Bond for Rs. 3,00,000/- executed by the petitioner towards security for the release of the vehicle, pending disposal of the Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K. Joseph, Advocate for the Petitioner and the Public Prosecutor on behalf of Respondent No.1 and None Appeared for Respondent Nos. 2 & 3.

The Court made the following ORDER:



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3457]

THURSDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE
PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N
CRIMINAL PETITION NO: 2665/2025

Between:

Sailam Srinivas Rao

...PETITIONER/ACCUSED

AND

The State Of Andhra
Pradesh and Others

...RESPONDENT/COMPLAINANT(S)

Counsel for the Petitioner/accused:

1.K JOSEPH

Counsel for the Respondent/complainant(S):

1.PUBLIC PROSECUTOR

The Court made the following Order :

1. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor.
2. The petitioner is aggrieved by the return of the petition filed on behalf of the petitioner seeking to discharge his surety of Rs.3,00,000/- which was deposited vide term deposit bearing No.KK0527894, dated 31.10.2022.
3. The petitioner was directed to deposit an amount of Rs.3,00,000/- vide FDR as the petitioner had unable to produce the lorry. It is submitted that the appellate Court had allowed the appeal of the petitioners and set aside the judgement in CC.No.213 of 2016 vide judgment of the Appellate Court in Crl.A.No.265 of 2019, dated 27.05.2024.

The learned IV Additional District and Sessions Judge, Tanuku while allowing the appeal had found the petitioners not guilty for the offence punishable under Section 420 IPC and Section 7 of EC Act and acquitted them and the fine amount paid by the appellants therein was also directed to be returned. The learned Judge has not observed on deposit of the surety furnished by the petitioner.

4. Aggrieved by the denial of discharging the surety, the present criminal petition is filed.
5. Considering the submissions of the learned counsel for the petitioner, the objection raised by the IV Additional District and Sessions Judge, Tanuku is hereby set aside and the learned IV Additional District and Sessions Judge, Tanuku to pass appropriate orders in discharging the sureties of the petitioner, if the appeal time for appeal against the judgment of IV Additional District and Sessions Judge, Tanuku is over.
6. Accordingly, the criminal petition is disposed off.
7. Pending miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

Sd/- B CHITTI JOSEPH
ASSISTANT REGISTRAR

B. Chitti Joseph
SECTION OFFICER

To,

1. The Station House Officer, Tanuku Rural Police Station, West Godavari District.
2. One CC to Sri. K. Joseph, Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of Andhra Pradesh at Amaravathi. [OUT]
4. Three CD Copies

Chp

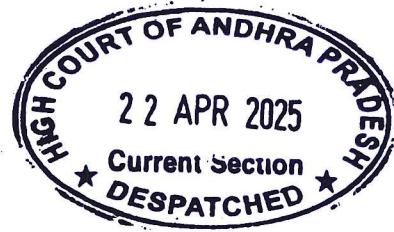
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HIGH COURT

DATED:20/03/2025

ORDER

CRLP.No.2665 of 2025



DISPOSING OF THE CRIMINAL PETITION