

Date of reserved for orders : -----

Date of pronouncement : 09.07.2026

Date of uploading :

APHC010136092009



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

[3560]

THURSDAY, THE 9th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

CRIMINAL REVISION CASE NO: 91/2009

Between:

- 1.KAMINENI SRINIVASA RAO & 4 OTHERS, S/O. VENKATESWARLU,
R/O. VUPPALAPADU VILLAGE, GUNTUR DISTRICT.
- 2.KAMINENI VENKATA NARAYANA,, S/O. VENKATESWARLU, R/O.
VUPPALAPADU VILLAGE, GUNTUR DISTRICT.
- 3.KAMINENI PADMA,, W/O. SRINIVASA RAO, R/O. VUPPALAPADU
VILLAGE, GUNTUR DISTRICT.
- 4.KAMINENI RAMANA,, W/O. VENKATANARYANA, R/O.
VUPPALAPADU VILLAGE, GUNTUR DISTRICT.
- 5.KAMINENI SEETHAMMA,, W/O. VENKATESWARLU, R/O.
VUPPALAPADU VILLAGE, GUNTUR DISTRICT.

...PETITIONER(S)

AND

1. THE STATE HYD, Veldurthi P.S), Rep by Public Prosecutor, High Court
of A.P. Hyderabad.

...RESPONDENT

Revision filed under Section 397/401 of CrPC praying that in the circumstances stated in the affidavit filed in support of the CriminalRevisionCase, the High Court may be pleased toto present this memorandum of Crl. Rc. against the orders of the X Addl. District and

Sessions Judge (FTC), Guntur at Narasaraopet, dt. 16-1-2009 that i filed against the judgement of the Asst. Sessions Judge, Gurazala in SC No. 325/05, dt. 13-3-2006 for the following among other

IA NO: 2 OF 2009(CRLRCMP 117 OF 2009)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to dispense with the filing of certified copy of Judgement in SC No. 325/05 on the file of the Assistant Sessions Judge, Gurazala, dated 13-3-2006 and pass

IA NO: 3 OF 2009(CRLRCMP 130 OF 2009)

Petition under Section 151 CPC 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 of the Judgment and Sentence in SC No. 325/05, dt. 13-3-2006 on the file of the the Asst. Sessions Judge, Gurazala as modified by the X Addl. District and Sessions Judge (FTC), Guntur at Narasaraopet, dt. 16-1-2009 in Crl.A.No.109 of 2006 and release the petitioners on bail, pending disposal of the Crl.R.C.

Counsel for the Petitioner(S):

1.PRABHU NATH VASIREDDY

Counsel for the Respondent:

1.PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA**CRIMINAL REVISION CASE NO: 91/2009****ORDER:**

Nominal rolls in respect of Accused Nos.3 to 5, namely, K.Padma, K.Ramana and K.Seethamma, are placed on record through the learned Assistant Public Prosecutor.

2. It appears from the nominal rolls issued by the Superintendent, Special Prison for Women, Rajamahendravaram, that all three female accused persons underwent incarceration for more than 50 days. Accused No.3, namely, K.Padma was in custody for one month twenty-six days (56 days), Accused No.4, namely, K.Ramana, was in custody for one month twenty-six days (56 days) and Accused No.5, namely, K.Seethamma, was in custody for two months (60 days).

3. Sessions Case bearing No.325 of 2005 ended in conviction. A3 to A5, along with other two accused persons were found guilty of the offences punishable under Section 324 read with 149 of IPC and Section 306 read with 149 of IPC. They were sentenced to Rigorous Imprisonment for a period of five years for the offence punishable under Section 306 read with 149 of IPC. The order of conviction was challenged, after hearing, the Appellate Court, and the learned Appellate Court, vide Judgment dated 16.01.2009, modified the punishment of female accused persons i.e., A3 to A5 for Simple Imprisonment of 50 days.

4. Learned trial Court, ordered that the period of remand was already undergone by accused person to be set off under Section 428 Cr.P.C. Said direction of the learned trial Court was not interfered with by the learned Appellate Court.

5. Considering the prevailing situation, it appears that as the female accused persons (A3 to A5), have already suffered incarceration for more than 50 days. Accordingly, they have already suffered punishment. Thus, they are not required to be punished further in this instant case.

6. Accordingly, the instant Criminal Revision Case, in respect of petitioners/A3 to A5, is hereby disposed of, recording the fact that they have already suffered the sentence.

7. The instant Criminal Revision Case, in respect of A3 to A5, is disposed of following the above observations. However, Criminal Revision Case shall continue in respect of petitioner Nos.1 and 2/A1 and A2.

As a sequel, interlocutory applications pending, if any, shall stand closed.

SUBHENDU SAMANTA, J

Date:09.07.2026
JLV

Whether the order is :

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-Reportable Yes/No

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THE HON'BLE SRI JUSTICE SUBHENDU SAMANTA

CRIMINAL REVISION CASE NO: 91/2009

Date:09.07.2026
JLV