

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

IA No. 2 OF 2025

IN

CRLA NO: 163 OF 2025

Between:

Pitla Siva, S/o Late Satya Narayana, Aged 31 years. Residing Near Harsha Tires, Gandhinagar, Satyam Computers Junction, Visakhapatnam City. Native of Konisi Village, Gajhapathinagaram Mandal, Vizianagaram District.

...Petitioner(s)

(Appellant/Accused in CRLA 163 OF 2025

on the file of High Court)

AND

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

...Respondent(s)

(Respondent in-do-)

Petition under Section 430(1) of BNSS (Under 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 Appellant/Petitioner/Accused on bail by suspending the execution of sentence passed in S.C.No. 201 of 2017 dt: 17.12.2024 by the X Additional District And Sessions Judge, Anakapalli, Pending disposal of CRLA No. 163 of 2025, on the file of the High Court.

Counsel for the Petitioner :SRI O UDAYA KUMAR

Counsel for the Respondent :PUBLIC PROSECUTOR

The Court made the following

ORDER:

The instant petition under Section 389(1) of Cr.P.C read with Section 430(1) of BNSS has been filed by the Petitioner/Accused seeking to release him on bail by suspending the sentence of imprisonment imposed against him, pending disposal of the criminal appeal.

The Petitioner/Accused was convicted and sentenced to undergo imprisonment for seven years for the offence under Section 304-II IPC, simple imprisonment for one year for the offence under Section 338 IPC and simple imprisonment for six months for the offence under Section 337 IPC in S.C.No.201 of 2017, dated 17.12.2024 on the file of the Court of X Additional District & Sessions Judge, Anakapalli. The substantive sentences of imprisonment were ordered to be run concurrently.

Heard Sri O.Udaya Kumar, learned counsel for the Petitioner and Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor.

Learned counsel for the Petitioner / Accused would submit that, they have merits to succeed in the appeal and it may take considerable time for disposal of the appeal.

Learned Assistant Public Prosecutor would submit that the Court may pass appropriate orders.

Considering the submissions made and in the facts and circumstances of the case, as the Petitioner 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 Petitioner / Accused on the following terms.

Accordingly, the petition is allowed and the Petitioner / Accused shall be released on bail on executing a personal bond for Rs.20,000/- (Rupees Twenty thousands only) with two sureties for the like sum each to the satisfaction of the learned X Additional District & Sessions Judge,

Anakapalli. Petitioner shall appear before this Court when the matter is posted for final hearing.

SD/- M.SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

For A

To,

1. The X Additional District & Sessions Judge, Anakapalli, Visakhapatnam District
2. The VI Metropolitan Magistrate, Bheemunipatnam, Visakhapatnam District
3. The Superintendent, Central Prison, Rajamahendravaram, East Godavari District
4. One CC to SRI. O UDAYA KUMAR Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
6. One spare copy

PSR

HIGH COURT

Dr.VJP,J

DATED:21/03/2025

NOTE: LIST THE MATTER IN REGULAR COURSE.

ORDER

**IA No. 2 OF 2025
IN
CRLA NO: 163 OF 2025**

INTERIM SUSPENSION

