

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
FRIDAY, THE TENTH DAY OF MAY,
TWO THOUSAND AND TWENTY FOUR



:PRESENT:

THE HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

AND

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

IA No. 3 OF 2024

IN

CRLA NO: 144 OF 2022

Between:

Bommana Subbanna, S/o Subbaiah, Aged about 65 years, R/o
Nallapureddipalli Village, Penagalur Mandal, Kadapa District.

...Petitioner/Accused No.1

AND

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

...Respondent

Petition 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 grant interim bail for a period of 90
days on medical ground to the Accused No.1 in S.C.No.91 of 2019, on the file
of the III Additional Sessions Judge, Rajampet, Kadapa District, Pending
disposal of CRLA No. 144 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the
memorandum of grounds filed in support thereof and the order of the High
Court dated 17.10.2022 made in I.A.No.1 of 2022 in CrI.A.No.144 of 2022 &
dated 15.12.2022 made in I.A.No.2 of 2022 in CrI.A.No.144 of 2022 and upon

hearing the arguments of Sri K Venugopal Reddy, Advocate for the Petitioner and of Public Prosecutor for the Respondent, the Court made the following

ORDER:

“The petitioner/appellant No.1/accused No.1 is convicted in S.C.No.91 of 2019 by the learned III Additional Sessions Judge, Rajampet, Kadapa District, and sentenced to undergo imprisonment for life and lodged in the Central Prison, Kadapa. Pending the Criminal Appeal, he filed the instant petition seeking to enlarge him on bail on medical grounds.

Learned counsel for the petitioner/accused No.1 would submit that the petitioner has been languishing in the Central Prison, Kadapa, since 11.03.2022. He would further submit that the petitioner is aged about 65 years and now he is suffering with age related problems. The petitioner requires better treatment in a Super Speciality Hospital. Therefore, the learned counsel prays to grant bail to the petitioner for a period of 90 days on medical grounds.

Per contra, learned Public Prosecutor would submit that the petitioner was examined by the Medical Officer, Central Prison, Kadapa, and found that she was not suffering from any major sickness or illness and he is suffering with parasthesia upper shoulder and he was prescribed medication in the jail Hospital and also in the Government General Hospital, Kadapa. Therefore, he opposed the bail application.

On a perusal of the Medical Certificate, dated 27.04.2024 issued by the Medical Officer, Central Prison, Kadapa, though the petitioner was given treatment in the jail Hospital and also in the Government General Hospital, Kadapa, for parasthesia upper shoulder, it is obvious that at present, the petitioner is unable to perform his duties on his own. Considering this aspect, it is apposite to allow the application.

Accordingly, the application is allowed and the petitioner/appellant No.1/accused No.1 is ordered to be released on bail for a period of 30 days from 13.05.2024, on the condition of the petitioner executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for the likesum to the satisfaction of the Judicial First Class Magistrate, Rajampet, Kadapa District..”

//TRUE COPY//

For

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR
ch
SECTION OFFICER

To,

1. The III Additional Sessions Judge, Rajampet, Kadapa District.
2. The Judicial First Class Magistrate, Rajampet.
3. The Superintendent, Central Prison, Kadapa.
4. One CC to Sri K Venugopal Reddy, Advocate [OPUC]
5. Two CCs to Public Prosecutor (AP) High Court of Andhra Pradesh
[OUT]
6. **Two spare copies.**

CVSS

HIGH COURT

UDPR,J &
JS,J

DATED:10/05/2024

ORDER

IA No. 3 OF 2024
IN
CRLA NO: 144 OF 2022

DIRECTION

