



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE SEVENTH DAY OF MAY,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K SURESH REDDY

AND

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI

IA No. 2 OF 2024

IN

CRLA NO: 817 OF 2018

Between:

Koduru Santhoshi, W/o Late Shiva Santoshi Raju, @Shiva, aged 26 years,
Occ: Housewife, R/o New Burma Colony, Anakapalle, Presently Lodged in
State Special Jail for Women, Rajahmahendravaram.

...Petitioner/Appellant/Accused

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of
Andhra Pradesh, at Amaravati.

...Respondent/Complainant

Petition under Section 389(1) of Cr.P.C., praying that in the
circumstances stated in the grounds filed in support of the petition, the High
Court may be pleased to suspend the execution of sentence passed against
the Petitioner/Accused in S.C.No.139 of 2016 on the file of the Court of the X
Additional District and Sessions Judge, Anakapalle, Dated 19.12.2017 and
release the petitioner on Bail, pending disposal of CRLA No. 817 of 2018, on
the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the
grounds filed in support thereof and upon hearing the arguments of Sri
G.Santhosh Kumar, Advocate for the Appellant and of Public Prosecutor for
Respondent,

The Court made the following

ORDER:

“The present application is filed by the petitioner/appellant/Accused under Section 389 (1) of Cr.P.C., seeking her release on bail by suspending the sentence of imprisonment imposed by the learned X Additional District and Sessions Judge, Anakapalle, vide S.C.No.139 of 2016, dated 19.12.2017, pending the present Criminal Appeal before this Court.

2. The learned counsel for the petitioner/appellant contends that immediately after pronouncement of judgment, the petitioner/appellant/Accused was taken into custody and she is undergoing imprisonment in State Special Jail for Women, Rajamahendravaram. He further contends that the petitioner/appellant/Accused has already served six (06) years of actual sentence. The learned counsel for the petitioner/appellant further contends that as the appeal is of the year 2018, it takes some more time to come up for “Final Hearing”. As such, he requests this Court to enlarge the petitioner/appellant/Accused on bail in terms of the order 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 Public Prosecutor, on instructions, states that the case of the petitioner/appellant/Accused has not fallen within the prohibitory categories envisaged in the above referred judgment.

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

5. The petitioner/appellant/Accused is directed to be released on bail on her executing a personal bond for Rs.10,000/-(Rupees Ten Thousand

only) with two (02) sureties for a like sum each to the satisfaction of the learned V Metropolitan Magistrate, Anakapalle.

6. The petitioner/appellant/Accused is directed to report before the Station House Officer concerned, once in a month i.e., 1st of every month. The petitioner/appellant/Accused is also directed to appear before this Court whenever the case stands posted for hearing.

7. The petitioner/Appellant/Accused is further directed not to create/cause any law and order problem during ensuing General Elections. In case of defiance of any of the above conditions, prosecution is at liberty to file an application for cancellation of bail.

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

//TRUE COPY//

SD/-SK MD RAFI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The V Metropolitan Magistrate, Anakapalle, Visakhapatnam District.
2. The X Additional District and Sessions Judge, Anakapalle, Visakhapatnam District.
3. The Superintendent, State Special Jail for Women, Rajamahendravaram.
4. The Station House Officer, Anakapalle Police Station, Visakhapatnam District.
5. One CC to SRI. G.SANTHOSH KUMAR, Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court of A.P., Amaravati.[OUT]
7. Two spare copies.

PSD

HIGH COURT

KSR,J

&

BVLNC,J

DATED:07/05/2024

BAIL ORDER

I.A.NO.2 OF 2024

IN

CRLA.No.817 of 2018

ALLOWED

