

[3396]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE TWENTY THIRD DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA



IA No. 2 OF 2026

IN

CRLRC NO: 410 OF 2026

Between:

Kothuri Nageswara Rao, S/o Bapiraju, Hindu, aged about 49 years, R/o
Vemagiri Village, Kadiyam Mandal, East Godavari District.

...Petitioner/Appellant/Accused

(Petitioner in CRLRC 410 OF 2026

on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep. by the Public Prosecutor, High of
A.P., at Amaravati

2. Edupuganti Suri Babu, S/o Subbarao, Business, R/o Jegurupadu
Village, Kadiyam Mandal East Godavari District. (Complainant)

...Respondents

(Respondents in-do-)

Counsel for the Petitioner :SRI SIVAPRASAD REDDY VENATI

Counsel for the Respondent No.1:PUBLIC PROSECUTOR

Petition under Section 438 (1) of BNSS is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to suspend the conviction and sentence imposed by VII Additional Civil (Junior Division)-Cum-VII Additional Judicial Magistrate of First class, Rajamahendravaram in CC No.424 Of 2022, Dt. 15.05.2025 thereby confirmed by the VIII Additional District & Sessions Judge cum SPL court for trial of offences against women, Rajamahendravaram, East Godavari

District by Judgment Dt. 28.01.2026 in CrI. A No. 182 Of 202, Pending disposal of CRLRC No. 410 of 2026, on the file of the High Court.

ORDER:

The present interlocutory application was filed under Section 438 (1) of BNSS, 2023 by the petitioner to suspend the conviction and sentence dated 15.05.2025 passed in C.C.No.424 of 2022 on the file of learned VII Additional Civil (Junior Division) – cum – VII Additional Judicial Magistrate of First Class, Rajamahendravaram, which was confirmed vide Judgement dated 28.01.2026 passed in CrI.A.No.182 of 2025 on the file of learned VIII Additional District & Sessions Judge cum Special Court for Trial of Offences against Women, East Godavari District, Rajamahendravaram and enlarge the petitioner/accused on bail, pending disposal of the main Criminal revision case.

Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor on behalf of the State.

In view of the submissions made, the sentence of imprisonment alone is suspended, pending disposal of the Criminal Revision Case on the following conditions:

- i. The petitioner herein is directed to surrender before the learned VII Additional Civil (Junior Division) – cum – VII Additional Judicial Magistrate of First Class, Rajamahendravaram, within one week from this day and, on such surrender, the petitioner shall be enlarged on bail on executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties for a like sum each to the satisfaction of the learned VII Additional Civil (Junior Division) – cum – VII Additional Judicial Magistrate of First Class, Rajamahendravaram, on the same day.

ii. The petitioner shall deposit 30% of the cheque amount apart from the 20% of the cheque amount already deposited before the learned VII Additional Civil (Junior Division) – cum – VII Additional Judicial Magistrate of First Class, Rajamahendravaram, within a period of two (02) weeks from this day. In default of deposit of cheque amount, as ordered supra, the interim suspension granted today, shall stand cancelled automatically without further reference to the Court.

iii. The petitioner shall appear before this Court as and when directed.

Sd/-U.SRIDEVI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VII Additional Civil (Junior Division)-Cum-VII Additional Judicial Magistrate of First class, Rajamahendravaram
2. The VIII Additional District & Sessions Judge cum SPL court for trial of offences against women, Rajamahendravaram, East Godavari District
3. Edupuganti Suri Babu, S/o Subbarao, Business, R/o Jegurupadu Village, Kadiyam Mandal East Godavari District. (By SPEED POST)
4. One CC to SRI. SIVAPRASAD REDDY VENATI Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy

Kj

HIGH COURT

DR.VJP,J

DATED:23/04/2026

LIST THE MATTER AFTER SUMMER VACATION, 2026

ORDER

IA No. 2 OF 2026

IN

CRLRC.No.410 of 2026

INTERIM SUSPENSION

