

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 3189 OF 2026

Between:

Kagitha Ratna Kumari @ Gurralla Ratna Kumari, W/o Late Sivarama
Krishna, Aged 60 years, R/o.D.No.18/167-2,Sukarlabada,
Machilipatnam, Krishna District

Petitioner/ Petitioner/Appellant/Accused

AND

1. Jakkampudi Ravindra Kumar, S/o.Venkaiah Chowdary, Aged 58 years,
R/o.Flat No.303, D.No.62-8-2/2; Sri Kesava Residency, Netaji Street,
Patamata Lanka, Vijayawada. (Complaint)
2. The State of Andhra Pradesh, Rep by its Public Prosecutor High Court
of A.P., Amaravati

Respondents

WHEREAS the Petitioner above named through her Advocate Sri KOGANTI NAGESWARA RAO, presented this Petition under Section 528 of B.N.S.S., praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to quash the entire proceedings against the petitioner in CrI. MP No. 69 of 2026 in CrI.A. No. 10 of 2026 on the file of the court of VIII Additional District and Sessions Judge, Vijayawada;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri KOGANTI NAGESWARA RAO, Advocate for the Petitioner, and of Public Prosecutor for Respondent No.2 directed issue of notice to the Respondent

No.1 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Jakkampudi Ravindra Kumar, S/o.Venkaiah Chowdary, Aged 58 years, R/o.Flat No.303, D.No.62-8-2/2, Sri Kesava Residency, Netaji Street, Patamata Lanka, Vijayawada.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 1 OF 2026

Petition under Section 528 of B.N.S.S., is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay all the further proceedings in CrI.A. No. 10 of 2026 on the file of the court of VIII Additional District and Sessions Judge, Vijayawada, pending disposal of CRLP No. 3189 of 2026, on the file of the High Court.

The Court made the following ORDER:

Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor.

Issue notice to respondent No.1.

The learned counsel for the petitioner is permitted to take out personal notice on respondent No.1 and file proof to that effect.

The petitioner is aged about 60 years. She was convicted for the alleged offence under Section 138 of the Negotiable Instruments Act, 1881 (for brevity 'the N.I.Act') by the learned Trial Court. The learned Appellate Court, while suspending the sentence, directed the petitioner to deposit 20% of the cheque amount. The learned counsel for the petitioner submits that the petitioner has been suffering from ill health, and her son has suffered severe loss in his business; therefore, he is unable to pay the compensation amount.

In this regard, it is apposite to refer judgment of the Hon'ble Apex Court wherein at **Jamboo Bhandari v. M.P. SIDC Ltd¹** at Paragraph Nos.7 to 10, it is held that the court under exceptional cases may grant suspension of sentence without imposing the condition of deposit of 20% of the fine/compensation amount.

Further, learned Single Judge of this Court in CrI.P.No.9202 of 2025 relying on the judgment of the Hon'ble Apex Court in Jamboo Bhandari supra passed a similar order.

Be that as it may, the alleged offence is compoundable as per Section 147 of 'the N.I.Act.'

Hence, the impugned order is slightly modified, and the petitioner is directed to deposit 10% of the compensation awarded by the learned Trial Court within a period of four (04) weeks from the date of receipt of the copy of this order before the learned Trial Court.

On such deposit, Respondent No.1 is at liberty to withdraw the same upon furnishing sufficient sureties to the satisfaction of the learned Trial Court.

Considering the entire facts and circumstances the matter is referred to mediation.

Mr. K.Muni Reddy Bala Prasad, learned trained Mediator, is appointed as the Mediator in this case.

The Secretary, High Court Legal Services Committee, is directed to issue necessary proceedings in that regard.

The fee for the Mediator shall be fixed at a later point of time.

The petitioner and Respondent No.1 are directed to appear before the learned Mediator on 05.05.2026 or on any other convenient date for the parties and the Mediator.

The learned Appellate Court is hereby directed to drive the parties before the Mediator for amicable settlement.

Post the matter after Summer Vacation-2026, for Mediator's report.

¹ (2023) 10 SCC 446

Until the conclusion of the mediation proceedings, there shall be a stay of all further proceedings in CrI.A.No.10 of 2026 on the file of the learned VIII Additional District and Sessions Judge, Vijayawada.

SD/- U.SRIDEVI
DEPUTY REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Secretary, High Court Legal Services Committee, High Court of Andhra Pradesh, Amaravati.
2. The VIII Additional District and Sessions Judge, Vijayawada
3. Jakkampudi Ravindra Kumar, S/o.Venkaiah Chowdary, Aged 58 years, R/o.Flat No.303, D.No.62-8-2/2, Sri Kesava Residency, Netaji Street, Patamata Lanka, Vijayawada.
4. Kagitha Ratna Kumari @ Gurrula Ratna Kumari, W/o Late Sivarama Krishna, Aged 60 years, R/o.D.No.18/167-2,Sukarlabada, Machilipatnam, Krishna District (3&4 by SPEED POST- along with a copy of petition and memorandum of grounds)(Direction to appear before the Mediator on 05.05.2026)
5. One CC to SRI. KOGANTI NAGESWARA RAO Advocate [OPUC]
6. One CC to Sri. K.Muni Reddy Bala Prasad, Mediator (BY SPECIAL MESSENGER)
7. Two CCs to Public Prosecutor, High Court of AP [OUT]
8. One spare copy

KJ

HIGH COURT

DR.YLR,J

DATED:21/04/2026

**POST THE MATTER AFTER SUMMER VACATION-2026, FOR
MEDIATOR'S REPORT**

NOTICE BEFORE ADMISSION

CRLP.No.3189 of 2026

APPEARANCE

