

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: CrI.A.No.280 of 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	23.04.2026	<u>BVLNC, J</u> <u>I.A. No. 1 of 2026</u> Heard Sri S. Dilip Jaya Ram, learned counsel for the petitioner/appellant, and Sri A. Sai Rohit, learned Assistant Public Prosecutor appearing for the 1st respondent–State. 2 The petitioner/appellant is the sole accused in S.C. No. 44 of 2019 on the file of the learned Special Court for the speedy trial of offences under the Protection of Children from Sexual Offences Act, 2012 (POCSO Act), Guntur. 3 The petitioner/appellant was found guilty of the offence punishable under Sections 354-A IPC and Section 12 of the POCSO Act, 2012. Accordingly, he was convicted under Section 235(2) Cr.P.C. and sentenced to undergo simple imprisonment for a period of three (3) years and to pay a fine of Rs. 20,000/- (Rupees Twenty Thousand only), and in default of payment of	

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		fine, to suffer simple imprisonment for a period of thirty (30) days, for the offence under Section 12 of the POCSO Act, 2012. 4 Learned counsel for the petitioner/appellant submitted that the learned trial Court erroneously convicted the petitioner/appellant without properly appreciating the facts and evidence on record. Hence, the petitioner/appellant has preferred the present appeal challenging the judgment of the learned trial Court on various grounds. 5 The learned counsel further submitted that the petitioner/appellant was released on bail by the learned trial Court in an application filed under Section 389(3) Cr.P.C. (equivalent to Section 430(3) of BNSS, 2023) to enable him to file an appeal before the appellate Court for a period of thirty (30) days, which expires today, i.e., 23.04.2026, though the prescribed period for filing the appeal is sixty (60) days. He further submitted that the petitioner/appellant has paid the fine amount and filed the original receipt along with the grounds of appeal. 6 The learned counsel further submitted that the sentence imposed by the learned	

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		trial Court is a fixed sentence of three (3) years; that there are fair chances of success in the appeal; and that there is no likelihood of the appeal being taken up for hearing in the near future. 7. He also submitted that the appeal may take considerable time for hearing and, considering the circumstances of the case, the petitioner/appellant may be released on bail by suspending the sentence of imprisonment imposed by the learned trial Court. 8. The learned Additional Public Prosecutor opposed the application; however, no written objections were filed. 9. Considering the above facts and circumstances of the case, and as the sentence imposed by the learned trial Court is a fixed sentence of three (3) years, and there is no likelihood of the appeal being heard in the near future, this Court is of the considered opinion that <i>“the order of sentence of imprisonment alone imposed by the learned Special Court for the speedy trial of offences under the Protection of Children from Sexual Offences Act, 2012 (POCSO Act), Guntur,</i>	

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		<i>vide judgment dated 24.03.2026 passed in S.C. No. 44 of 2019, shall be suspended in respect of the petitioner/appellant/accused, subject to the same terms and conditions imposed by the learned trial Court in the application filed under Section 389(3) Cr.P.C. (equivalent to Section 430(3) of BNSS, 2023), in addition to the following conditions”:</i> i) The petitioner/appellant shall not visit, contact, annoy, or intimidate the victim or her family members in any manner. ii) The petitioner/appellant shall not leave the country without prior permission of the Court. iii) In the event of violation of any of the above conditions, the prosecution is at liberty to file an application seeking cancellation of bail. 10. Accordingly, the application is ordered. BVLNC, J	

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		<u>Crl.A.No.280 of 2026</u> Admit the appeal. Call for the trial Court record. The Registry is directed to prepare the paper book as soon as the trial Court record is received. List the matter in the month of August, 2026, in the usual course. BVLNC, J <i>Note: Issue C.C. by 23.04.2026</i> <i>B/o.</i> <i>cbn</i>	