

[3396]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL,

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA



IA No. 2 OF 2026

IN

CRLRC NO: 437 OF 2026

Between:

Marthala Janakamma, W/o. Penchala Swamy, Aged about 50 years,
R/o. Dachuru Village, Kaluvoy Mandal, SPSR Nellore District.

...Petitioner/Appellant/Accused

AND

1. The State of Andhra Pradesh, Rep. by The Public Prosecutor, High of A.P., at Amaravati
2. Shaik Imran, S/o Abdul Khadar, Aged about 30 years, R/o. Jannath Hussain Nagar, Gudipallipadu, Nellore City. (Complainant)

...Respondents

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 CriminalPetition, the High Court may be pleased to suspend the conviction and sentence imposed by II Additional Judicial Magistrate of I class Nellore, SPSR Nellore District in CC No.2954 Of 2022, Dt. 10.10.2025 thereby confirmed by the Principal District and Sessions Judge, Nellore, SPSR Nellore District by Judgment Dt. 02.03.2026 in CrI. A No. 149 Of 2025;

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

The Court made the following ORDER:

The present interlocutory application was filed by the petitioner to suspend the sentence imposed in C.C.No.2954 of 2022 dated 10.10.2025 by the learned II Additional Judicial Magistrate of First Class, Nellore, SPSR Nellore District, which was confirmed vide judgment dated 02.03.2026 in CrI.A.No.149 of 2025 on the file of the learned Principal District and Sessions Judge, Nellore, SPSR Nellore District, 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 imposed in C.C.No.2954 of 2022 dated 10.10.2025 by the learned II Additional Judicial Magistrate of First Class, Nellore, SPSR Nellore District, which was confirmed vide judgment dated 02.03.2026 in CrI.A.No.149 of 2025 on the file of the learned Principal District and Sessions Judge, Nellore, SPSR Nellore District, against the petitioner 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 II Additional Judicial Magistrate of First Class, Nellore, SPSR Nellore District, 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 II Additional Judicial Magistrate of First Class, Nellore, SPSR Nellore District, on the same day.

- ii. The petitioner shall deposit 50% of the cheque amount before the learned II Additional Judicial Magistrate of First Class, Nellore, SPSR Nellore District, within a period of two (2) 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 pending disposal of the revision.

//TRUE COPY//

Sd/-U.SRIDEVI
DEPUTY REGISTRAR
13
SECTION OFFICER

To,

1. The II Additional Judicial Magistrate of I class, Nellore, SPSR Nellore District.
2. The Principal District and Sessions Judge, Nellore, SPSR Nellore District.
3. Shaik Imran, S/o Abdul Khadar, Aged about 30 years, R/o. Jannath Hussain Nagar, Gudipallipadu, Nellore City. (BY RPAD)
4. One CC to Sri. SIVAPRASAD REDDY VENATI, Advocate [OPUC]
5. Two CCs to the PUBLIC PROSECUTOR, High Court of Andhra Pradesh, Amaravati. [OUT]
6. One spare copy

JSS

HIGH COURT

DR.VJP, J

DATED:22/04/2026

LIST THE MATTER AFTER SUMMER VACATION, 2026.

BAIL ORDER

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DIRECTION

