

[3396]

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 VENKATA JYOTHIRMAI PRATAPA

IA No. 2 OF 2026

IN

CRLRC NO: 428 OF 2026



Between:

Kanamarlapudi Satya Durga Prasad, S/o.Srinivasa Rao, aged about 52 years,
business resident of D.No. 29-23-19C, Tadepallivari Street, Suryaraopet,
Vijayawada.

...Petitioner/Accused/Appellant

(Petitioner in CRLRC 428 OF 2026

on the file of High Court)

AND

1. Mutually Aided Co operative Credit Society Ltd, Peoples Represented
by its authorized signatory, Uppalapati B.V.S.S.Reddy S/o.V.V.Rama
Krishna Reddy aged 32 yrs, Regd office at D.No.33-12-9, 1st floor,
Boyapati vari Veedi, Sitarampuram, Vijayawada Dist

Complainant/Respondent

2. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of
Andhra Pradesh, At Amaravati - 522237.

...Respondent/Respondent

(Respondents in-do-)

Counsel for the Petitioner : SRI GUNDAPU RAJESH KUMAR

Counsel for the Respondent No.2 : PUBLIC PROSECUTOR

Petition under Section 528 of BNSS is filed praying that in the
circumstances stated in the affidavit filed in support of the petition, the High

Court may be pleased to suspend the operations of the Judgement in C.C.No. 801 OF 2023 dated 29.09.2023 on the file of the VI Additional Metropolitan Magistrate :: Vijayawada, which was confirmed in Criminal Appeal.No.248 of 2023 dated 12.03.2026 on the file of the VIII Additional District & Sessions Judge, Vijayawada, Pending disposal of CRLRC No. 428 of 2026, on the file of the High Court.

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).

ORDER

“The present interlocutory application was filed under Section 438 (1) of BNSS, 2023 by the petitioner to suspend the conviction and sentence dated 29.09.2023 passed in C.C.No. 801 of 2023 on the file of learned VII Additional Metropolitan Magistrate for Railways, Vijayawada, which was confirmed vide Judgement dated 12.03.2026 passed in Crl.A.No.248 of 2023 on the file of learned VIII Additional District & Sessions Judge, Vijayawada 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 Metropolitan Magistrate for Railways, Vijayawada, 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 Metropolitan Magistrate for Railways, Vijayawada, 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 Metropolitan Magistrate for Railways, Vijayawada, within a period of three (03) 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."

//TRUE COPY//

Sd/-U.SRIDEVI
DEPUTY REGISTRAR

118
SECTION OFFICER

To,

1. The VIII Additional District & Sessions Judge, Vijayawada
2. The VI Additional Metropolitan Magistrate :: Vijayawada
3. The VII Additional Metropolitan Magistrate for Railways, Vijayawada
4. Mutually Aided Co operative Credit Society Ltd, Peoples Represented by its authorized signatory, Uppalapati B.V.S.S.Reddy S/o.V.V.Rama Krishna Reddy aged 32 yrs, Regd office at D.No.33-12-9, 1st floor, Boyapati vari Veedi. Sitarampuram, Vijayawada Dist(By RPAD)
5. One CC to SRI. GUNDAPU RAJESH KUMAR Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
7. One spare copy

HIGH COURT

DR.VJP,J

DATED:21/04/2026

LIST THE MATTER AFTER SUMMER VACATION, 2026.

ORDER

IA No. 2 OF 2026

IN

CRLRC NO: 428 OF 2026

DIRECTION

