

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE SEVENTH DAY OF MAY,

TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE SRI JUSTICE K SURESH REDDY

AND

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

IA No. 1 OF 2026

IN

CRLA NO: 192 OF 2021

Between:

Kondru Simhachalam, S/o Late Appala Swamy, Aged 58 years,
Maripalli Village, Salur Mandal, Vizianagaram District.

...Appellant/Accused

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court
of Andhra Pradesh.

...Respondent/Complainant

Counsel for the Petitioner: Sri. G VIJAYA SARADHI

Counsel for the Respondent: PUBLIC PROSECUTOR (AP)

Petition under Section 430 (1 & 2) of BNSS., is filed praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to suspend the execution of the sentence and to release the appellant/Accused viz., Kondru Simhachalam, on bail in CrI. A. No.192 of 2021 of this Honorable Court which arose out of S. C. No.39 of 2018 on the file of II Additional District & Sessions Judge, Parvatipuram, the Judgment dated 30.04.2021;

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 application is filed by the petitioner/appellant/accused under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking his release on bail by suspending the sentence of imprisonment imposed by the learned II Additional District and Sessions Judge, Parvatipuram, vide S.C.No.39 of 2018, dated 30.04.2021, pending the present Criminal Appeal before this Court.

2. The learned counsel for the petitioner/accused contends that immediately after pronouncement of judgment, the petitioner/accused was taken into custody and the petitioner/accused is undergoing imprisonment in Central Prison, Rajamahendravaram. He further contends that the petitioner/accused has undergone five (05) years of actual sentence. The learned counsel for the petitioner/appellant/accused further contends that as the appeal is of the year-2021, it takes some more time to come up for "Hearing". As such, he requests this Court to enlarge the petitioner/appellant/ accused on bail in terms of the order, dated 02.11.2016, passed by the Combined High Court in *Batchu Rangarao and others Vs The State of Andhra Pradesh (Crl.A.M.P.No.1687 of 2016 in Crl.A.No.607 of 2011)*.

3. On the other hand, the learned Additional Public Prosecutor, on instructions, states that the case of the petitioner/appellant/accused does not fall within the prohibitory categories as envisaged in the above referred order.

4 In view of the same, this Court is inclined to enlarge him on bail by suspending the sentence of imprisonment imposed by the learned Sessions Judge pending the present Criminal Appeal.

5. The petitioner/appellant/accused is directed to be released on bail on his executing a personal bond for Rs.20,000/- (Rupees Twenty Thousand only) with two (02) sureties for a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Salur.

6. The petitioner/appellant/accused is directed to report before the concerned Station House Officer i.e., Inspector of Police, Salur Circle, once in a month, i.e., on the 1st of every month. In the event of failure to report as directed, the concerned Station House Officer is at liberty to initiate appropriate proceedings by approaching this Court for cancellation of bail. The petitioner/appellant/accused is further directed to appear before this Court without fail on all dates when the case stands posted for hearing. If the petitioner is found to be involved in any other criminal case during the pendency of the bail period, or if he violates any of the conditions imposed by this Court, the learned Public Prosecutor is at liberty to approach this Court by filing an appropriate petition seeking cancellation of bail.

7. Accordingly, with the above directions, the present application is allowed.

//TRUE COPY//

SD/- S.SHYAMALA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The II Additional District & Sessions Judge, Parvatipuram.
2. The Judicial Magistrate of First Class, Salur.

3. The Superintendent, Central Prison, Rajahmundry.
4. The Inspector of Police, Salūr Circle, Parvatipuram. **(by SPEED POST)**
5. One CC to Sri. G VIJAYA SARADHI, Advocate [OPUC]
6. Two CCs to the PUBLIC PROSECUTOR, High Court of Andhra Pradesh, Amaravati. [OUT]
7. **Two Spare Copies**

JSS

HIGH COURT

KSR, J
&
CGR, J

DATED:07/05/2026

BAIL ORDER

IA No. 1 OF 2026
IN
CRLA NO: 192 OF 2021

I.A. IS ALLOWED.

