

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE EIGHTH DAY OF MAY

TWO THOUSAND AND TWENTY SIX

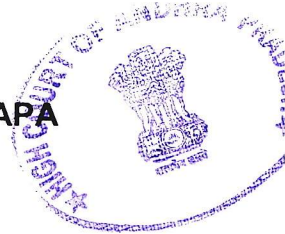
:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

IA No. 3 OF 2026

IN

CRLRC NO: 493 OF 2026



Between:

Vadisala Suri Babu, S/o late Appanna, Hindu, aged 57 years, residing at S.No.45-57-12/1/7, Flat No.7, 3rd floor, Sri Sai Narasimha Towers, Narasimha Nagar, Visakhapatnam.

...Petitioner(s)

(Petitioner in CRLRC 493 OF 2026

on the file of High Court)

AND

1. The State of Andhra Pradesh, rep. by the Public Prosecutor, High Court of A.P at Amaravati
2. Velamala Demudu, S/o Suri, aged 50 years, residing at D.No.39-1-29/1, Sector-1, MuraliNagar East, Visakhapatnam.

...Respondent(s)

(Respondents in-do-)

Counsel for the Petitioner: SRI MALLAVARAPU PRADEEP KUMAR

Counsel for the Respondent No.1: PUBLIC PROSECUTOR

Petition Under Section 397(1) of Cr.P.C / 430 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 judgement dated 09-12-2025 in CrI. Appeal (MU) No.339/2019 by the court of the IV Addl. District & sessions judge at Vishakhapatnam in cc.no.389/20218 on the file of the Honourable Special Magistrate-IV at Visakhapatnam judgement dt 28-06-2019 by enlarging the petitioner on bail until disposal of this revision case petition and Pending disposal of CRLRC No. 493 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).
The Court made the following

ORDER

“The instant petition under Section 430 (1) of BNSS has been filed by the Petitioner/Accused seeking to suspend the sentence imposed in C.C.No.389 of 2018 by the learned SpecialMagistrate-IV at Visakhapatnam, which was confirmed in CrI.A.(MU).No.339 of 2019 on the file of the Court of learned IV Additional District and Sessions Judge at Visakhapatnam, dated 09.12.2025, pending disposal of the criminal revision.

Heard Sri Mallavarapu Pradeep Kumar, learned counsel for the Petitioner.

Learned counsel for the Petitioner / Accused would submit that the Petitioner is in jail. It is further submitted that they have merits to succeed in the revision and it may take considerable time for disposal of the same. Hence, prayed to suspend the sentence of imprisonment imposed against the Petitioner pending disposal of the criminal revision case.

Ms.I.Saivahini, learned counsel appearing for the respondent No.2 and Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor are in attendance.

Considering the submissions made and in the facts and circumstances of the case, as the Petitioner preferred revision challenging the concurrent findings of the Trial Court as well as the Appellate Court, and the hearing of the revision may take considerable time, this Court is suspending the sentence of imprisonment imposed against the Petitioner / Accused on the following terms.

Accordingly, this petition is allowed and the Petitioner / Accused shall be released on bail, on execution of a personal bond for Rs.20,000/- (Rupees Twenty Thousand only) with two sureties for the like sum each to the satisfaction of the learned Trial Judge.

The Petitioner shall deposit 50% of the cheque amount, including the amount, if any, already deposited/paid by him, before the Trial Court, within a period of three (3) weeks from the date of his release, if not, the Trial Court is directed to secure his presence and see that the sentence be served.

Petitioner shall appear before this Court as and when directed."

//TRUE COPY//

**SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR
SECTION OFFICER**

To,

1. The Special Magistrate-IV at Visakhapatnam
2. The IV Additional District and Sessions Judge at Visakhapatnam
3. Velamala Demudu, S/o Suri, aged 50 years, residing at D.No.39-1-29/1, Sector-1, MuraliNagar East, Visakhapatnam.(By RPAD)
4. One CC to SRI. MALLAVARAPU PRADEEP KUMAR Advocate [OPUC]
5. Two CC's to Public Prosecutor, High Court of AP at Amaravati. [OUT]
6. One spare copy

TVSR

HIGH COURT

DR.VJP,J

DATED: 08/05/2026

LIST THE MATTER ON 17.06.2026.

ORDER

IA No. 3 OF 2026

IN

CRLRC NO: 493 OF 2026

DIRECTION

