

[3396]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY ,THE FIFTH DAY OF MAY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

IA No. 2 OF 2026

IN

CRLRC NO: 496 OF 2026

Between:

1. Gannabathula Sarojini, W/o.Venkata Someswara Rao, Hindu, Aged about 53Years, R/o. Flat No.S-1,Niharika Apartment, Balaji Nagar,CBM Compound, Visakhapatnam,Visakhapatnam District, Andhrapradesh.

...Petitioner/Accused

(Petitioner in CRLRC 496 OF 2026

on the file of High Court)

AND

1. Peddiboina Venkata Shiva Ramakrishna,S/o. Basava Rao, Hindu, Aged about 47 years, Occ Business,R/o. D.No. 19-13-10, New ResapuvanipalemVisakhapatnam,Visakhapatnam District, Andhrapradesh -530013.
2. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Judicature at Amaravati,Nelapadu, Amaravathi, Guntur District.

...Respondent/Complainant

Counsel for the Petitioner :DR.VINAKOTI SRINIVASULU AND ASSOCIATES

Counsel for the Respondent No.1 :PUBLIC PROSECUTOR

Petition under Section 397(1) of Cr.P.C & Under Section 438(1) of BNSS, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the sentence of

imprisonment in Judgment dt.10.02.2026 passed in Crl.A.M.U.No.46 of 2019 on the file of II Additional District Judge And Sessions Judge, Visakhapatnam, wherein confirming the Judgment passed by the SPECIAL MAGISTRATE-V, Visakhapatnam in C.C.No.137 of 2018, dt.08.01.2019, pending disposal of the above Criminal Revision Case Pending disposal of CRLRC No. 496 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 present interlocutory application was filed under Section 438 (1) of BNSS, 2023 by the petitioner to suspend the conviction and sentence dated 08.01.2019 passed in C.C.No.137/2018 on the file of learned V Special Magistrate, Visakhapatnam Judgement which was confirmed vide Judgement dated 10.02.2026 passed in Crl.A.M.U.No.46 of 2019 on the file of learned II Additional District & Sessions Judge, (Erstwhile First Additional Metropolitan Sessions Judge, Visakhapatnam) 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 V Special Magistrate, Visakhapatnam, 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 V Special Magistrate, Visakhapatnam, on the same day.

ii. After release, the petitioner shall deposit 50% of the cheque amount before the learned V Special Magistrate, Visakhapatnam, within a period of two (2) weeks from this day. Any amount already deposited shall be given due credit. 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/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

For


SECTION OFFICER

To,

1. The II Additional District Judge & Sessions Judge, Visakhapatnam.
2. The V Special Magistrate, Visakhapatnam.
3. One CC to SRI. DR.VINAKOTI SRINIVASULU AND ASSOCIATES Advocate
[OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh
[OUT]
5. One spare copy

HIGH COURT

DR.VJP, J

DATED:05/05/2026

BAIL

CRLRC.No.496 of 2026

INTERIM SUSPENSION

