



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3520]

THURSDAY, THE ELEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

I.A.NO. 1 OF 2026

IN

CRIMINAL APPEAL NO: 365 OF 2026

Between:

1. BUKKE VENKATARAMANA NAIK, S/O PEDDA SUBBA NAIK, AGED 43
YEARS, BALIJAPALLI VILLAGE, KADAPA, YSR DISTRICT.

...APPELLANT

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC
PROSECUTOR, HIGH COURT OF ANDHRA PRADESH AT
AMARAVATI.

...RESPONDENT

Appeal under Section 372/374(2)/378(4) of Cr.P.C praying that the High Court may be pleased to The above named appellants beg to present this Memorandum of Grounds of Criminal Appeal against the judgment dt. 18.05.2026 passed in RSS S.C.No. 64/2022 on the file of the Special Court in the Cadre of Addl. District & Sessions Judge for Trial of Red Sanders Smuggling Cases, Tirupati,

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the execution of sentence along with fine amount dt. 18.05.2026 passed in RSS S.C.No. 64/2022 on the file of the Special Court in the Cadre of Addl. District & Sessions Judge for Trial of Red Sanders Smuggling Cases,

Tirupati and release the appellant/Accused No.1 on bail, pending disposal of the above criminal appeal and pass

Counsel for the Apellant:

1.SARMA C V S S

Counsel for the Respodent:

1.PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

I.A.NO. 1 OF 2026

IN

CRIMINAL APPEAL NO: 365 OF 2026

ORDER:-

The Petitioner is Accused No.1 in RSS S.C.No.95 of 2022 (Old S.C.No.144 of 2019) on the file of Additional District and Sessions Judge for Trial of Red Sanders Smuggling Cases, Tirupati, questioning the conviction and sentence dated 18.05.2026 where under he was found guilty for the offences under Sections 20(1)(c)(ii)&(x) punishable under Section 20(1)(d)(i)(a) and under Section 32-A punishable under Section 36(a) of A.P.Forest (Amendment) Act, 2016 and he was convicted under Section 235(2) of Cr.P.C and directed to undergo imprisonment for a period of five years and to pay fine of Rs. 3,00,000/- in default of payment of fine, directed to suffer simple imprisonment for six months.

2. Heard learned counsel for the Petitioner and learned Assistant Public Prosecutor for the State.

3. Learned counsel for the Petitioner would submit that the Petitioner had good grounds to succeed in the Appeal, the conviction is not sustainable and Accused No.2 has been acquitted by the Court and to some extent Accused No.1 stands on the same footing. He would further submit that the Petitioner was on bail during pendency of the Trial before the Sessions Court.

It further contended that there are no criminal antecedents recorded against the Petitioner.

4. Upon considering the above submissions and convinced with the prayer of the petition for suspension of sentence is found convincing. Hence, The sentence alone imposed under the impugned judgment dated 18.05.2026 in RSS S.C.No.95 of 2022 (Old S.C.No.144 of 2019) on the file of Additional District and Sessions Judge for Trial of Red Sanders Smuggling Cases, Tirupati shall stands suspended and the Petitioner shall be released on bail subject to following conditions.

i) Petitioner / Accused No.1 shall be enlarged on bail on executing a bond for a sum of Rs. 25,000/- with two sureties for the like sum each to the satisfaction of the learned Additional District and Sessions Judge for Trial of Red Sanders Smuggling Cases, Tirupati.

ii) The Petitioner and his sureties shall furnish their permanent residential address details and identity particulars to the concerned police and keep the police informed about the change in address, if any, time to time.

iii) The Petitioners shall be available during the hearing of the Appeal, if necessary as directed.

JUSTICE A. HARI HARANADHA SARMA

Date: 11.06.2026

KK/KS