

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTY THIRD DAY OF JUNE

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

IA No. 3 OF 2026

IN

CRLRC NO: 609 OF 2026

Between:

Abdula Habeeb, S/o.Abdula Muzeeb, aged about 38 years, R/o.D.No.19-16-71/1, Degalavari Street, 25th Ward, S.P.Street, Bhimavaram, West Godavari District

...Petitioner/Petitioner

(Petitioner in CRLRC 609 OF 2026

on the file of High Court)

AND

1. Pathiwada Chandra Seshu Kumar, S/o.Suryachandra Rao, aged about 38 years, R/o. D.No.21-6-5, Rest House Road Bhimavaram -1, West Godavari District
2. State of Andhra Pradesh, through Public Prosecutor, High Court of A.P., Amaravathi

...Respondents/Respondents

(Respondents in-do-)

Counsel for the Petitioner :Sri V V L N SARMA

Counsel for the Respondent:

Petition under Section 438(1) of BNSS praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to suspend the sentence awarded in C.C.No.1074/18 on the file of the Court of the II Addl. Judicial Magistrate of 1st Class Cum II Addl. Junior Civil Judge, Bhimavaram , dt: 28.12.2022 as confirmed by judgment in CrI.A.No.36/2023 on the file of the Court of the III Additional District Judge,



Bhimavaram, dt: 21.01.2026 and consequently release him from jail and grant Pending disposal of CRLRC No. 609 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

Heard the learned Counsel for the Petitioner and the learned Assistant Public Prosecutor.

Sentence of imprisonment imposed by the learned II Additional Judicial Magistrate of First Class-cum-II Additional Junior Civil Judge, Bhimavaram, vide order dated 28.12.2022 in C.C.No.1074 of 2018 alone is suspended pending disposal of the Criminal Revision Case.

The petitioner herein shall be enlarged on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties for a like sum each to the satisfaction of the learned II Additional Judicial Magistrate of First Class-cum-II Additional Junior Civil Judge, Bhimavaram.

The petitioner shall deposit 15% of the cheque amount before the II Additional Judicial Magistrate of First Class-cum-II Additional Junior Civil Judge, Bhimavaram within a period of six (06) weeks from this date.

Failing to deposit 15% of the cheque amount, the learned Trial Court shall take appropriate steps for recovery of the said amount. And on such deposit the respondent No.1/complainant is at liberty to withdraw the same by producing sufficient sureties to the satisfaction of the learned II Additional Judicial Magistrate of First Class-cum-II Additional Junior Civil Judge, Bhimavaram.

Sd/-U.Sri Devi,
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The II Additional Judicial Magistrate of First Class-cum-II Additional Junior Civil Judge, Bhimavaram.
2. The Superintendent, Spl.Sub Jail, Bhimavaram.
3. Pathiwada Chandra Seshu Kumar, S/o.Suryachandra Rao, R/o.
D.No.21-6-5, Rest House Road Bhimavaram -1, West Godavari District
(By RPAD)
4. One CC to SRI. V V L N SARMA Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of A.P. [OUT]
6. One spare copy.

HIGH COURT

DR.YLR,J

DATED:23/06/2026

POST THE MATTER AFTER SIX (06) WEEKS

ORDER

I.A.No.03 of 2026

IN

CRLRC.No.609 of 2026

SUSPENSION

