



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

[3396]

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR.JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE No: 456/2022

Between:

ADAPA VENKATA NACHARAMMA, W/O. ADAPA VEERESWARA RAO,
HINDU, AGED ABOUT 59 YEARS, R/O. D.NO.1/36, VULLIPALEM,
MACHILIPATANAM, KRISHNA DISTRICT.

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP.BY PUBLIC PROSECUTOR, HIGH COURT AT AMARAVATI.
- 2.GUDIVADA GANGADHARA RAO, S/O. DURGA RAO, HINDU AGED ABOUT 34 YEARS, R/O. D.NO.1/91, VULLIPALEM, MACHILIPATANAM, KRISHNA DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

- 1.K L N SWAMY

Counsel for the Respondent(S):

- 1.PUBLIC PROSECUTOR (AP)
- 2.MALLAVOLU NIKITHA

The Court made the following:

ORDER:

The Criminal Revision Case under Sections 397 and 401 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C') has been filed by the Petitioner / Accused, impugning the judgment dated 08.03.2022 in CrI.A.No.145 of 2019 on the file of the Court of IX Additional District and Sessions Judge, Krishna, Machilipatanam, which was passed confirming the judgment dated 07.08.2019

passed in C.C.No.454 of 2017 by the learned Special Judicial Magistrate of First Class for Trying Prohibition and Excise Offences, Machilipatnam for the offence under Section 138 of the Negotiable Instruments Act, 1881 (for short 'N.I.Act').

2. Heard Sri K.L.N.Swamy, learned counsel for the Petitioner and Ms.Mallavolu Nikitha, learned counsel for Respondent No.2 / Complainant. Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor is in attendance.

3. Both parties appeared before this Court and represented that they intend to compromise the matter. As such, the matter was referred to mediation and mediation was conducted. An amount of Rs.50,000/- was paid by the Accused at the time of suspension of sentence, as per the directions of the learned IX Additional District Judge, Machilipatnam and Rs.1,45,000/- is paid today by way of cash to the Respondent No.2 / Complainant directly and the same is acknowledged by the Complainant. Learned counsel representing both sides would submit that, as per the terms of the compromise, the Revision Petitioner has paid the total amount of Rs.1,95,000/- to Respondent No.2 / Complainant. Fine amount of Rs.5,000/- was already paid on 07.08.2019 as per the directions of the learned trial Judge in C.C.o.454 of 2017. Respondent No.2 would submit that he has no objection to record the compromise and to acquit the Accused by allowing the Criminal Revision Case.

4. Considering the submissions, and in view of the amicable settlement of the matter and in the interests of justice, the Criminal Revision Case is

allowed setting aside the concurrent judgments dated 08.03.2022 in Crl.A.No.145 of 2019 on the file of the Court of IX Additional District and Sessions Judge, Krishna, Machilipatnam, and dated 07.08.2019 passed in C.C.No.454 of 2017 by the learned Special Judicial Magistrate of First Class for Trying Prohibition and Excise Offences, Machilipatnam for the offence under Section 138 of N.I.Act. Revision Petitioner / Accused is acquitted from the present case. Respondent No.2 / Complainant is at liberty to work out his remedy in the civil suit which is filed for recovery of money.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date:22.04.2026
Dinesh

THE HONOURABLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

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Dt.22.04.2026

Dinesh