

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MONDAY ,THE TWELFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE V SRINIVAS

CRIMINAL REVISION CASE NO: 479 OF 2010

Between:

1. KAITHEPALLY SUNDER RAO & 2 OTHERS, S/o Janayya, R/o Pedapalem-Village, Nagayalanka-Mandal, Krishna-Dist.
2. Kaithepally Subba Rao,, S/o Izaak, R/o Pedapalem-Village, Nagayalanka-Mandal, Krishna-Dist.
3. Kaithepally Chanti,, S/o Janayya @ Jani, R/o Pedapalem-Village, Nagayalanka-Mandal, Krishna-Dist.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, Represented by its Public Prosecutor, High Court of Andhra Pradesh, Hyderabad.

...RESPONDENTS

Revision filed under Section 397/401 of CrPC praying that in the circumstances stated in the affidavit filed in support of the CriminalRevisionCase, the High Court may be pleased toto call for the records of CrI.A.No.155/2008 on the file of the X Addl. Dist. & Sessions Judge, Krishna at Machilipatnam, set-aside the conviction and sentence passed against them and consequently to acquit the petitioners 1 to 3.

I.A. NO: 1 OF 2010(CRLRCMP. NO: 689 OF 2010)

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 dispense with the filing of the certified copy of the Judgment dated 01.12.08 in S.C.No.152/2008 of the learned Asst. Sessions Judge, Avanigadda.

I.A. NO: 2 OF 2010(CRLRCMP. NO: 707 OF 2010)

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 enlarge the petitioners/accused 1 to 3 on bail by suspending the sentence of imprisonment dated 01.12.2008 in S.C.No.152 of 2008 on the file of the Asst. Sessions Judge, Avanigadda, Krishna Dist., which was modified by the X Addl. Dist. & Sessions Judge, Krishna at Machilipatnam, dated 04.03.2010 CrI.A.No.155/2008, pending disposal of the CrI.R.C.

Counsel for the Petitioner(s):SRI. M V S PRASAD

Counsel for the Respondents: PUBLIC PROSECUTOR

The Court made the following:

This matter pertains to the year 2010.

No representation for the petitioners.

This matter was listed on 04.09.2023, 05.10.2023, 28.11.2023, 21.12.2023 and on 29.01.2024. Except on 28.11.2023 and 21.12.2023, none appeared for the petitioners. Even on 21.12.2023, one Sri A. Vamsi Krishna, learned counsel representing Sri M.V.S. Prasad, learned counsel for the petitioners sought time and on 28.11.2023, one Sri Sai Krishna, learned counsel submitted that Sri M.V.S. Prasad, learned counsel for the petitioners is unwell and requested time.

In the circumstances, on perusal of the proceedings sheet, the petitioners/accused herein were granted interim suspension of sentence of imprisonment on 08.03.2010. On such concession, the petitioners were not at all attending the Court.

Thus, the orders passed on 08.03.2010 in CrI.R.C.M.P.No.707 of 2010 are hereby cancelled.

Issue Bailable Warrants to the petitioners, returnable by 04.03.2024.

However, on execution of such bailable warrant, the petitioners shall be released on bail on furnishing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties for a like sum each to the satisfaction of the learned Assistant Sessions Judge, Avanigadda, Krishna District.

List the matter on 04.03.2024.

SV, J

Note: Issue C.C. today.

Registry is directed to send a copy of this order to the Superintendent of Police concerned.

**B/o
MJA**