

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE TWELFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

HONOURABLE SRI JUSTICE V SRINIVAS
CRIMINAL REVISION CASE NO: 479 OF 2010



Between:

1. Kaithepally Sunder Rao, S/o Janayya, Hindu, Age: 29 years, SC- Madiga, R/o Pedapalem-Village, Nagayalanka-Mandal, Krishna- District.
2. Kaithepally Subba Rao, S/o Izaak, Hindu, Age: 31 years, SC- Madiga, R/o Pedapalem-Village, Nagayalanka-Mandal, Krishna- District.
3. Kaithepally Chanti, S/o Janayya @ Jani, Hindu, Age: 57 years, SC- Madiga, R/o Pedapalem-Village, Nagayalanka-Mandal, Krishna-District.

Petitioners(Accused)

AND

The State of Andhra Pradesh, Represented by its Public Prosecutor, High Court of Andhra Pradesh, Amaravathi.

Respondents

Revision filed under Section 397 R/w 401 of Cr.P.C., praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Revision Case, the High Court may be pleased to call for the records of Crl.Appeal No.155/2008 on the file of the X Addl. District & Sessions Judge, Krishna at Machilipatnam, set-aside the conviction and sentence passed against them and consequently to acquit the petitioners 1 to 3.

IA NO: 2 OF 2010 in CRL.R.C.M.P.No. 707 of 2010

Petition under Section 397(1) of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioners/accused Nos.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, dt 04.03.2010 in CrI.A.No.155/2008, pending disposal of CRLRC 479 of 2010, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and the order of the High Court order dated 08.03.2010 made herein in CRL.R.C.M.P.No. 707 of 2010 in **CRL.R.C. No.479 of 2010** and upon hearing the arguments of Public Prosecutor for Respondent, the Court made the following
ORDER

"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.

Sd/- P VENKATA RAMANA
JOINT REGISTRAR

//TRUE COPY//

For SECTION OFFICER

To,

1. The Registrar (**Judicial**), High Court of A.P, Amaravathi.
2. The Assistant Sessions Judge, Avanigadda, Krishna District. (**SPEED POST**)
3. The X Additional District & Sessions Judge, Krishna District at Machilipatnam. (**SPEED POST**)
4. The Superintendent of Police, Krishna District. (**SPEED POST**)
5. The Superintendent, Sub-Jail, Avanigadda, Krishna District. (**SPEED POST**)
6. The Sub-Inspector of Police, Nagayalanka Police Station, Krishna District. (**SPEED POST**)
7. The Section Officer, Criminal Section, High Court of A.P.
8. Kaithepally Sunder Rao, S/o Janayya, Hindu, Age: 29 years, SC- Madiga, R/o Pedapalem-Village, Nagayalanka-Mandal, Krishna- District.
9. Kaithepally Subba Rao, S/o Izaak, Hindu, Age: 31 years, SC- Madiga, R/o Pedapalem-Village, Nagayalanka-Mandal, Krishna- District.
10. Kaithepally Chanti, S/o Janayya @ Jani, Hindu, Age: 57 years, SC- Madiga, R/o Pedapalem-Village, Nagayalanka-Mandal, Krishna-District. (Addressess 7 to 9 by RPAD)
11. One CC to SRI. M V S PRASAD Advocate [OPUC]
12. Two CCs to PUBLIC PROSECUTOR, High Court of A.P.[OUT]
13. One spare copy.

HIGH COURT

SV,J

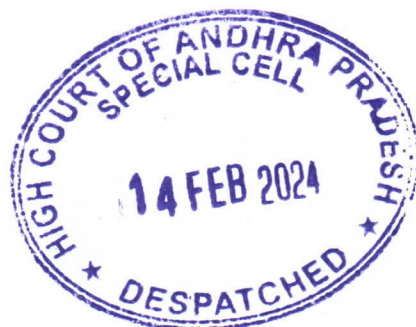
DATED:12/02/2024

LIST ON 04.03.2024

ORDER

CRLRC.No.479 of 2010

DIRECTION





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

:PRESENT:

HONOURABLE SRI JUSTICE V SRINIVAS
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Petitioners(Accused)

AND

The State of Andhra Pradesh, Represented by its Public Prosecutor, High Court of Andhra Pradesh, Amaravathi.

Respondents

Whereas, Revision filed under Section 397 R/w 401 of Cr.P.C., praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Revision Case, the High Court may be pleased to call for the records of Crl.Appeal No.155/2008 on the file of the X Addl. District & Sessions Judge, Krishna at Machilipatnam, set-aside the conviction and sentence passed against them and consequently to acquit the petitioners 1 to 3.

And whereas, the Court, upon perusing the Revision and the memorandum of grounds filed in support thereof and the order of the High Court dated 08.03.2010 made herein, directed the Registry to issue Bailable Warrant against the petitioner returnable by 04.03.2024;

**Therefore, You Viz,
The Superintendent of Police, Krishna District .**

are hereby directed to arrest the said **Petitioners(Accused)** namely,

1. Kaithepally Sunder Rao, S/o Janayya, Hindu, Age: 29 years, SC- Madiga, R/o Pedapalem-Village, Nagayalanka-Mandal, Krishna- District.
2. Kaithepally Subba Rao, S/o Izaak, Hindu, Age: 31 years, SC- Madiga, R/o Pedapalem-Village, Nagayalanka-Mandal, Krishna- District.
3. Kaithepally Chanti, S/o Janayya @ Jani, Hindu, Age: 57 years, SC- Madiga, R/o Pedapalem-Village, Nagayalanka-Mandal, Krishna-District.

wherever they are found and produce them bodily under the safe custody and conduct before the Assistant Sessions Judge, Avanigadda, Krishna District.

You are further directed that if the said **Petitioners(Accused)** furnishes personal bond for Rs.10,000/- (Rupees Ten Thousand only), with two sureties for a like sum each to the satisfaction of the Assistant Sessions Judge, Avanigadda, Krishna District., they shall be released on bail.

You are also further directed to return this warrant as early as possible preferably before 04.03.2024, with a detailed report stating the manner in which it has been executed.

Herein fail not.


JOINT REGISTRAR

To,

1. The Registrar (**Judicial**), High Court of A.P, Amaravathi.
2. The Assistant Sessions Judge, Avanigadda, Krishna District. (**SPEED POST**)
3. The Superintendent of Police, Krishna District. (**SPEED POST**)
4. One spare copy.

psk

HIGH COURT

SV,J

DATED:12/02/2024

LIST ON 04.03.2024

ORDER

CRLRC.No.479 of 2010

BAILABLE WARRANT

