



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

[3368]

**TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI

CRIMINAL APPEAL NO: 363/2021

Between:

1. SATHULURI RAJESH KUMAR, S/O KOTESWARARAO,
31Y, OCC. BUSINESS, D.NO.37-1-130, NEAR. MASTHAN
DARGA, ONGOLY CITY, PRAKASAM DISTRICT.

...APPELLANT

AND

1. THE STATE OF ANDHRA PRADESH, STATE OF ANDHRA
PRADESH, REP BY ITS PUBLIC PROSECUTOR, HIGH
COURT OF ANDHRA PRADESH AT AMARAVATHI.
2. SHAIK KALESHA VALI, S/O RAFI, 38Y, OCC. DRIVER,
D.NO.39-7-28, 2ND LANE, GOPALNAGAR, ONGOLE
CITY, PRAKASAM DISTRICT

...RESPONDENT(S):

Appeal under Section 372/374(2)/378(4) of Cr.P.C praying that the High Court may be pleased to enhance the sentence punishment as awarded in the Calendar and Judgment passed by the court below in CC.No.381 of 2017 on the file of the Court of Learned Special Judicial magistrate of First Class, Excise Court, Ongole, Prakasam District.

IA NO: 1 OF 2020

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 grant Special Leave to prefer the present Criminal Appeal as against the Calendar and Judgment dated 06.02.2020 passed in C.C.No.381 of 2017 on the file of the Court of Learned Special Judicial Magistrate of First Class, Excise Court, Ongole, Prakasam District and receive the Criminal Appeal on file in the interests of justice and to pass

Counsel for the Appellant:

1.NAGA PRAVEEN VANKAYALAPATI

Counsel for the Respondent(S):

1.PUBLIC PROSECUTOR (AP)

The Court made the following:

THE HONOURABLE SRI JUSTICE B.V.L.N. CHAKRAVARTHI**CRIMINAL APPEAL NO: 363 of 2021****J U D G M E N T:**

Heard Sri P.Pavan Kumar, learned counsel representing Sri Naga Praveen Vankayalapati, learned counsel for the appellant/complainant and Sri C. Panini Somayaji, learned Additional Public Prosecutor representing State/respondent No.1. None appeared for the accused/respondent No.2.

2. Learned counsel for the appellant would submit that the present appeal is filed to enhance the sentence awarded in C.C.No.381/2017 on the file of Special Judicial Magistrate of First Class, Excise Court, Ongole. He would further submit that aggrieved by the aforesaid judgment, the accused/respondent No.2 also preferred a Criminal Appeal *vide* CrI.A.No.32/2020 on the file of I Addl. District & Sessions Judge, Ongole, and the same is pending. In those circumstances, the appellant seeks permission to the Court to withdraw the appeal.

3. The submissions of the learned counsel for the appellant/complainant are placed on record.

4. Permission is accorded to the appellant to withdraw the appeal.

5. Accordingly, the Criminal Appeal is dismissed as withdrawn.

As a sequel, interlocutory applications, if any, pending shall stand closed.

Dated: 17.02.2026
Dmr

JUSTICE B.V.L.N. CHAKRAVARTHI

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THE HONOURABLE SRI JUSTICE B.V.L.N. CHAKRAVARTHI

CRIMINAL APPEAL NO: 363 of 2021

Date: 17.02.2026

Dmr