

[3368]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY ,THE FOURTEENTH DAY OF AUGUST

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI

IA No. 1 OF 2025

IN

CRLA NO: 535 OF 2025

Between:

Sri Thoti Rajesh @ Raja, S/o. T. Reddeppa, Aged 19 years, R/o. Islam
Nagar, Nagar Nakkabanda, Punganur Town and Mandal, Chittoor.

Appellant/Accused

AND

The State of Andhra Pradesh, Rep. by the Sub Inspector of Punganur
Police Station, Rep. by the Public Prosecutor, High Court of Andhra
Pradesh at Amaravati

...Respondent/Complainant

Petition under Section 430(1) of BNSS is filed praying that in the
circumstances stated in the affidavit filed in support of the petition, the High
Court may be pleased to enlarge the Appellant/Accused officer on bail by
suspending the Order dated 28.07.2025 in S.C.No.307/2023 on the file of the
Court of VII Additional District & Sessions Judge, Madanapalle U/Sec 326 &
307 IPC, Pending disposal of CRLA No. 535 of 2025, on the file of the High
Court.

Counsel for the Petitioner :Sri VALLEPU REDDY NIKHIL GANESH

Counsel for the Respondent :PUBLIC PROSECUTOR

The Court made the following:

ORDER

“Heard learned counsel for the petitioner/appellant/convict and learned Assistant Public Prosecutor representing the State.

Learned counsel for the petitioner would submit that the petitioner/appellant preferred the appeal challenging the judgment dated 28.07.2025 in S.C.No.307 of 2023 on the file of the learned VII Additional District and Sessions Judge, Madanapalle.

The learned trial Court found the accused guilty for the offence punishable under Sections 307 and 326 I.P.C. and sentenced to suffer rigorous imprisonment for a period of ten (10) years and to pay a fine of Rs.15,000/- (Rupees fifteen thousand only) for the offence U/s.307 IPC, in default to undergo simple imprisonment for six (06) months.

The petitioner/appellant was also sentenced to suffer rigorous imprisonment for a period of ten (10) years and to pay fine of Rs.15,000/- (Rupees fifteen thousand only) for the offence U/s.326 IPC, in default to undergo simple imprisonment for six (06) months respectively.

He would further submit that the petitioner/appellant/convict paid fine amount and receipt also filed in the grounds of appeal.

Learned counsel for the petitioner/convict would submit that the learned trial Court erroneously convicted the accused without assigning the facts and certain questions of law involved in the case. There is fair chance to succeed in the appeal. Some time may take to hearing the appeal, meanwhile the sentence imposed by the learned trial Court may be suspended.

The petitioner/appellant was released on bail during the trial and before, there are no allegations against the petitioner that he committed breach of bail bond at the time during trial.

Considering the above facts and circumstances, the order of sentence may be suspended, pending disposal of the appeal.

Learned Additional Public Prosecutor opposed the present application.

Upon hearing both sides and on perusal of the record, and consideration of the above facts and circumstances, this Court is of the considered opinion that the order of sentence be suspended, till disposal of the appeal, subject to the following conditions.

- i) The petitioner/accused shall be enlarged on bail, on executing a personal bond for Rs.20,000/- (Rupees Twenty Thousand only) with two (02) sureties for a like sum each, to the satisfaction of the learned trial Court.
- ii) On release, the petitioner/accused shall appear before the trial Court, on every fourth Saturday of the month, till disposal of the Appeal.
- iii) The petitioner/appellant shall not leave the country without permission of the Court.
- iv) The petitioner/appellant shall not intimidate or annoy the injured (victim) and her family members, in any manner.
- v) If the petitioner/appellant violates any of the above conditions, the prosecution is at liberty to file an application seeking cancellation of the bail.

Accordingly, this application is ordered."

SD/- M.SRINIVAS
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The VII Additional District & Sessions Judge, Madanapalle, Chittoor District.
2. The Superintendent, Kadapa Central Jail, Kadapa.
3. The Sub Inspector of Punganur Police Station, Chittoor District.
4. One CC to SRI. VALLEPU REDDY NIKHIL GANESH Advocate
[OPUC]
5. Two CCs to Public Prosecutor (AP) High Court of A.P., Amaravati
[OUT].
6. **One spare copy**

HIGH COURT

BVLNC,J

DATED:14/08/2025

LIST THE MATTER IN USUAL COURSE

ORDER

IA.NO.1 OF 2025

IN

CRLA.No.535 of 2025

IA.NO.1 OF 2025 IS ORDERED

