

**IN THE HIGH COURT OF ANDHRA PRADESH AT
AMARAVATI**

SATURDAY, THE FOURTH DAY OF SEPTEMBER, TWO THOUSAND AND TWENTY ONE

: PRESENT :

THE HONOURABLE SMT JUSTICE **LALITHA KANNegANTI**

I.A.No. 1 of 2020

IN

CRIMINAL APPEAL.No.1178 of 2017

Between: -

Mandala Prakash @ Nasttu @ Prakash Mandal, S/o. Purufullo Mandal,
R/o. Polluru Village, Chinttor Mandal, East Godavari District, Andhra Pradesh

..Petitioner/Accused No.6

AND

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

....Respondent/Complainant

Petition under Section 389(1) of Cr.P.C., praying that in the circumstances stated in the grounds filed in the Criminal Appeal, the High Court may be pleased to suspending the sentence epassed by the Hon'ble 1st Additional District and Sessions Judge-cum-Special Judge for NDPS Cases, East Godavari District at Rajamahendravaram in NDPS S.C.No. 172 of 2016 by its judgment dt. 08/08/2017 on any terms and conditions in the interest of Justice.

The Petition coming on for hearing, upon perusing the petition and the grounds filed in the Criminal Appeal and order of High Court dated 19-3-2019, 28-3-2019, 17-4-2019, 01-7-3029, 34-7-2021 and 24-07-2021 made herein and upon hearing the arguments of Sri T.K. Bsha Vali, Advocate for the Appellant and of the Public Prosecutor for the Respondent, the court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order : (The receipt of this order will be deemed to be the receipt of notice in the case)

ORDER :-

"This Application is filed under Section 389(1) of Code of the Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking suspension of sentence passed by I Additional District and Sessions Judge-cum-Special Judge for NDPS Cases, East Godavari District.

Learned counsel for the petitioner submits that the petitioner's mother is hospitalized and she requires attendance of the petitioner, who has to take care of her.

On instructions, learned Assistant Public Prosecutor has filed memo before this Court stating that the mother of the petitioner is suffering from ailments and requires petitioner's attendance. Further the wife of the petitioner has also not residing along with the mother of the petitioner and petitioner has two sons and the mother of the petitioner has also to take care of them.

Taking into consideration the fact that the mother of petitioner is a heart patient and she needs attendance of petitioner, this Court deems it appropriate to grant interim bail to the petitioner.

Accordingly, the petitioner/A6 is ordered to be enlarged on interim bail for a period of two months i.e. from 05.09.2021 to 04.11.2021 on condition of executing a self bond for Rs.20,000/-(Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the learned I Additional District and Sessions Judge cum Special Judge for NDPS Cases, East Godavari District. The petitioner/A-6 shall report before the Superintendent, Central Prison, Rajamahendravaram before 10.00 a.m. on 05.11.2021.

Post the matter after two (02) months."

Sd/- B. PRASADA RAO
ASSISTANT REGISTRAR

// TRUE COPY //

For ASISISTANT REGISTRAR

To

- 1.The I Additional District and Sessions Judge-cum-Special Judge for NDPS Cases, East Godavari District at Rajamahendravaram..
- 2.One CC to Sri T.K. BASHA VALI, Advocate(OPUC)
- 3.Two CCs to Public Prosecutor, High Court of A.P., at Amaravati(OUT)
- 4.One spare copy.

HIGH COURT

LKJ

DATED:04/09/2021

NOTE : POST AFTER TWO MONTHS

ORDER

**IA NO. 1 OF 2021
IN
CRLA.NO.1178 OF 2017**

BAIL

