



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

THURSDAY, THE SECOND DAY OF MAY,

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K SURESH REDDY

AND

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI

IA No. 1 OF 2023

IN

CRLA NO: 1935 OF 2018

Between:

Shaik Kareem Kareema, S/o Shaik Maulali, aged about 28 years, Occ: Auto Driver, N/o. Chinna Turkepalem (V), Narasaraopeta Mandal, Presently 7th Lane Peddacheruvu, Narasaraopeta Town.

...Petitioner/Appellant

(Petitioner in CRLA 1935 OF 2018

on the file of High Court)

AND

State of Andhra Pradesh, Rep by its Public Prosecutor, High Court at Amaravathi

...Respondent/Respondent

(Respondents in-do-)

Counsel for the Petitioner: SMT A.SWAROOPA REDDY

Counsel for the Respondent: PUBLIC PROSECUTOR

Petition under Section 389(1) of Cr.P.C is filed praying that in the circumstances stated in memorandum of grounds of criminal appeal, the High Court may be pleased to release the petitioner/appellant on bail, pending disposal of CRLA No.1935 of 2018, on the file of the High Court.

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:

"The present application is filed by the petitioner/appellant/Accused under Section 389 (1) of Cr.P.C., seeking his release on bail by suspending the sentence of imprisonment imposed by the learned XIII Additional District and Sessions Judge, Narasaraopet, vide S.C.No.439 of 2017, dated 13.03.2018, pending the present Criminal Appeal before this Court.

2. The learned counsel for the petitioner/appellant contends that immediately after pronouncement of judgment, the petitioner/appellant/Accused was taken into custody and he is undergoing imprisonment in Central Prison, Rajamahendravaram, East Godavari District. She further contends that the petitioner/appellant/Accused has already served five (05) years of actual sentence. The learned counsel for the petitioner/appellant further contends that as the appeal is of the year-2018, it takes some more time to come up for "Final Hearing". As such, she requests this Court to enlarge the petitioner/appellant/Accused on bail in terms of the order passed by the Combined High Court in Batchu Rangarao and others Vs The State of Andhra Pradesh (Crl.A.M.P.No.1687 of 2016 in Crl.A.No.607 of 2011).

3. On the other hand, the learned Public Prosecutor, on instructions, states that the case of the petitioner/appellant/Accused has not fallen within the prohibitory categories envisaged in the above referred judgment.

4. In view of the same, this Court is inclined to enlarge him on bail by suspending the sentence of imprisonment imposed by the learned Sessions Judge pending the present Criminal Appeal.

5. The petitioner/appellant/Accused is directed to be released on bail on his 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 I Additional Judicial Magistrate of First Class, Narasaraopet.

6. The petitioner/appellant/Accused is directed to report before the Station House Officer concerned, once in a month i.e., 1 st of every month. The petitioner/appellant/Accused is also directed to appear before this Court whenever the case stands posted for hearing.

7. The petitioner/Appellant/Accused is further directed not to create/cause any law and order problem during ensuing General Elections. In case of defiance of any of the above conditions, prosecution is at liberty to file an application for cancellation of bail.

8. Accordingly, with the above directions, this application is allowed."

//TRUE COPY//

SD/- S.SRINIVASA PRASAD
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The XIII Additional District Sessions Judge, Guntur.
2. The Superintendent, Central Prison Rajamahendravaram, East Godavari, Andhra Pradesh
3. One CC to Smt. A.Swarupa Reddy, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. Two spare copies

MM

HIGH COURT

KSR,J
&
BVLNC,J

DATED:02/05/2024

ORDER

IA.No.1 OF 2023
IN
CRLA.No.1935 of 2018

ALLOWED

