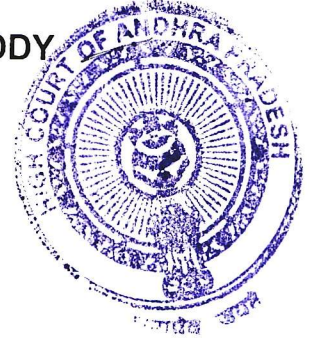


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE TWENTY SEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY



IA No. 1 OF 2022

IN

CRLA NO: 467 OF 2022

Between:

Yerraboyina Satya Rao, S/o Late Yerrayya, Aged abut 35 yrs, R/o
Pahtapanasalapadu Village, Veduravada Panchayat, Bondapalli Mandal,
Vizianagaram District.

(Presently lodged in Central Prison, Visakhapatnam CT No.8933)

...Petitioner(s)

(Appellant/Accused in CRLA 467 OF 2022

on the file of High Court)

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of
Judicature of Andhra Pradesh at Amaravati

...Respondent(s)

(Respondent/Complainant in-do-)

Petition under Section 389(1) of Cr.P.C praying that in the
circumstances stated in the memorandum of grounds filed in support of the
petition, the High Court may be pleased to suspend the execution of sentence
imposed against the petitioner dt.24.05.2022 passed in POCSO S.C.No. 198
of 2021 on the file of the Special Judge for Trial of Offence under Protection of
Children From Sexual Offences Act,(POCSO Act), Vizianagaram, and release
the petitioners on bail, Pending disposal of CRLA No. 467 of 2022, on the file
of the High Court.

Counsel for the Appellant :SRI B PARAMESEWARA RAO

Counsel for the Respondent :PUBLIC PROSECUTOR

The Court made the following

ORDER:

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent/State.

The present petition is filed seeking to release the petitioner on bail pending disposal of the Criminal Appeal. ✓

It is the contention of the learned counsel for the petitioner that the petitioner has been undergoing sentence of imprisonment for the last more than four years. Hence, prayed to grant bail to the petitioner pending the disposal of the Criminal Appeal. ✓

On the other hand, learned Additional Public Prosecutor submits that as per the nominal roll submitted by the Superintendent of Jails, Central Prison, Visakhapatnam, dated 25.09.2024, the period of sentence of imprisonment underwent by the petitioner is 03 years 11 months 11 days and in view of the gravity of the offences, the petitioner is not entitled to grant of bail. ✓

A perusal of the material on record goes to show that vide Judgment, dated 24.05.2022 in POCSO S.C.No.198 of 2021, the petitioner/appellant was found guilty of the offences under Sections 376(2) (f) (n), 376 (3) read with 511 IP.C, 506 Part-II IPC and Section 10 read with 9 of the POCSO Act, 2012 and accordingly, convicted him of the said offences and sentenced to undergo rigorous imprisonment for a

period of ten (10) years and to pay a fine of Rs.10,000/-, in default suffer simple imprisonment for a period of one year for the offence punishable under Section 376 (2) (f) (n) and Section 376 (3) read with 511 IPC; sentenced to suffer rigorous imprisonment for a period of seven (07) years and to pay a fine of Rs.5,000/-, in default, to suffer simple imprisonment for a period of six (06) months for the offence punishable under Section 506 part II IPC and to suffer rigorous imprisonment for a period of seven (07) years and to pay a fine of Rs.5,000/-, in default, to suffer simple imprisonment for a period six (06) months for the offence punishable under Section 10 of the POCSO Act, 2012.

Earlier, the petitioner-accused herein was accused in S.C.No.132 of 2006 on the file of the learned Additional Sessions Judge at Vizianagaram, wherein, he was sentenced to undergo imprisonment for life, for the offence under Section 302 of I.P.C., and he was also sentenced to undergo Rigorous Imprisonment for a period of seven (07) years for the offence punishable under Section 201 of I.P.C.

Since the offences that are alleged against the petitioner herein are heinous, this Court is not inclined to grant bail to the petitioner at this stage.

Accordingly, I.A. No.1 of 2022, is dismissed.

Sd/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. The Special Judge for Trial of Offences Under Protection of Children from Sexual Offences Act, (POSCO Act), Vizianagaram, Vizianagaram District

2. The Superintendent, Central Prison, Visakhapatnam, Visakhapatnam District
3. One CC to SRI. B PARAMESEWARA RAO Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
5. **One spare copy**

PSR

HIGH COURT

SRK,J

DATED:27/03/2025

**NOTE: LIST THE APPEAL UNDER THE CAPTION 'FOR HEARING' IN
USUAL COURSE.**

ORDER

**IA No. 1 OF 2022
IN
CRLA NO: 467 OF 2022**

I.A. No.1 of 2022, is dismissed.

