

[ 3547 ]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE ELEVENTH DAY OF DECEMBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SURESH REDDY

AND

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI



IA No. 1 OF 2025

IN

CRLA NO: 754 OF 2025

Between:

1. Dudekula Khadar Vali @ Pedda Khadar Vali (A2), S/o. Mastan, Aged 48years, R/o. R.K. Junction, Besthavaripeta Village Mandal, Prakasam District. **A-2**

2. Dudekula Kasamma, A3, W/o. Khadar Vali, Aged 39 years, R.K.Junction, Besthavaripeta Village Mandal, Prakasam District. **A-3**

...Appellants/

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Andhra Pradesh, Velagapudi, Amaravathi, Guntur District. **(R1)**

...Respondent

2. VICTIM, (R2)

...Respondent/Defacto Complainant

**Counsel for the Petitioners : SRI N RAVI PRASAD**

**Counsel for the Respondent No.1 : Asst PUBLIC PROSECUTOR**

Petition under Section 480 (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 suspend the sentence imposed on them in Spl.S.C.No.138 of 2022, dated 23.10.2025 passed by the Learned Special

Judge-cum- VII Additional District & Sessions Judge, Prakasam at Ongole and release them on bail, Pending disposal of CRLA No. 754 of 2025, 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). The Court made the following

## **ORDER**

The present application is filed by the petitioners/appellants/A 2 & A.3 under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking their release on bail by suspending the sentence of imprisonment imposed by the learned Special Judge for trial of offences under SCs and STs (PoA) Act, 1989-cum-VII Additional District and Sessions Judge, Prakasam at Ongole in Spl. S.C. No. 138 of 2022, dated 23.10.2025, pending the present Criminal Appeal before this Court.

2. Learned counsel for the petitioners contended that the petitioners/A.2 and A3 were convicted under Sections 3 (1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the Act') and sentenced to undergo Rigorous Imprisonment for a period of two years and also to pay a fine of Rs. 10,000/- each.

3. It is further contended by the learned counsel for the petitioners that the sentence imposed by the learned Special Judge was suspended for a period of 30 days by the trial Court, on an application filed by the

petitioners under Section 389(3) Cr.P.C., to enable them to prefer an appeal.

4. On the other hand, learned Additional Public Prosecutor confirms that they have already served notice on the *defacto* complainant in terms of Section 15-A of the Act.

5. In view of the above facts and circumstances, this Court is inclined to enlarge the petitioners on bail by suspending the sentence of imprisonment imposed by the learned Special Sessions Judge pending the present Criminal Appeal.

6. The petitioners/appellants/A.2 and A.3 are directed to be released on bail on the same terms imposed by the learned Special Judge for trial of offences under SCs and STs (PoA) Act, 1989-cum-VII Additional District and Sessions Judge, Prakasam at Ongole.

Sd/-G.HELNA NAIDU  
DEPUTY REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

To,

1. The Special Judge-cum- VII Additional District & Sessions Judge, Prakasam at Ongole
2. The Special Judge for trial of offences under SCs and STs (PoA) Act, 1989-cum-VII Additional District and Sessions Judge, Prakasam at Ongole.
3. One CC to SRI. N RAVI PRASAD Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
5. Two spare copies.

ksr

HIGH COURT

KSR, J

&

SRS, J

DATED:11/12/2025

ORDER

IA NO.1 OF 2025

IN

CRLA.No.754 of 2025

SENTENCE OF IMPRISONMENT

