

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

: PRESENT:

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI

IA No. 1 OF 2025

IN

CRLA NO: 759 OF 2025



Between:

Dhulipala Manikyala Rao, , S/o. Javalaih, Aged about 37 years, Lineman, C/C
Bhimadole Section, I/c Line Man, Polasanipalli Village, EPDC of AP Limited,
West Godavari District.

...Appellant/Accused

AND

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

...Respondent/Complainant

Counsel for Petitioner: Sri M R K Chakravarthy

Counsel for Respondent: S.Syam Sunder Rao, SC cum Spl P.P. For ACB

Petition under Section 430 (1) of BNSS is filed praying that in the
circumstances stated in the grounds filed in support of the petition, the High
Court may be pleased to suspend the Judgment and Sentence in CC No.22 of
2018 dated 07.11.2025 of the by the Court of the Special Judicial for Trial of
Cases Under Prevention of Corruption Act, Rajamahendravaram, Pending
disposal of CRLA No.759 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

Heard Sri M.R.K.Chakravarthy, learned counsel for the petitioner/appellant/convict and learned counsel representing Sri S.Syam Sunder Rao, learned Standing Counsel-cum-Special Public Prosecutor for ACB.

Petitioner is accused in C.C.No.22 of 2018 (old C.C.No.40 of 2011) on the file of the learned Special Judge for Trial of Cases under Protection of Corruption Act, Rajamahendravaram.

Learned counsel for the petitioner would submit that petitioner/convict was found guilty for the offences under Section 7 and 13(1)(d) r/w 13(2) of the Prevention of Corruption Act, 1988 and he was sentenced to undergo rigorous imprisonment for a period of one (1) year each and to pay a fine of Rs.1,000/- each (Rupees one Thousand only), in default to undergo simple imprisonment for a period of two (02) months each.

He would further submit that paid the fine amount, and appellant released on bail by the trial Court to file the appeal and therefore, he file the appeal challenging the judgment on various grounds as trial Court erroneously convict the appellant.

Learned counsel for the petitioner would further submit that the present application is filed for suspension of conviction and sentence imposed by the trial Court.

In that view of the matter, the order of conviction and sentence imposed by the trial Court may be suspended.

Learned Standing Counsel-cum-Special Public Prosecutor for ACB reported no objection for suspension of sentence of imprisonment but opposed the suspension of conviction.

The learned counsel for the petitioner/appellant would submit that, for the time being, the sentence of imprisonment may be suspended. The appellant will file a separate application for suspension of conviction.

Considering the above facts and circumstances, *"the order of sentence of imprisonment alone imposed by the learned Special Judge for Trial of Cases under Protection of Corruption Act, Rajamahendravaram, passed in C.C.No.22 of 2018 alone is suspended, subject to the same terms and conditions imposed by the learned Special Court in the application filed U/s.389(3) Cr.P.C. equivalent to Section 430(3) of BNSS, 2023" in addition to the following conditions".*

- i) The petitioner/Appellant shall not leave the country without permission of the Court.
- ii) 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.

However, the petitioner/appellant is at liberty to file a separate application in accordance with law regarding the suspension of conviction.

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SD/-A.VIJAYA BABU
DEPUTY REGISTRAR

SECTION OFFICER

To,

- ✓ 1. The Special Judicial for Trial of Cases Under Prevention of Corruption Act, Rajamahendravaram
- ✓ 2. One CC to Sri M R K Chakravarthy, Advocate [OPUC]
- ✓ 3. One CC to Sri S.Syam Sunder Rao, SC cum Spl P.P. For ACB [OPUC]
- ✓ 4. One spare copy

HIGH COURT

BVLNC, J

DATED: 26/11/2025

LIST THE MATTER IN THE USUAL COURSE

ORDER

IA NO.1 OF 2025

IN

CRLA NO: 759 OF 2025

INTERIM SUSPENSION

