

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

WEDNESDAY, THE THIRD DAY OF DECEMBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO



IA No. 1 OF 2025

IN

CRLRC NO: 1369 OF 2025

Between:

Miriyala Siva Prasad, S/o Venkateswara Rao, aged about 36 years, r/o
D.No. 19/216-B-13, Saibaba temple street, Bethavolu, Gudivada Town,
Gudivada Mandal, Krishna District.

...Petitioner/Appellant/Accused

AND

1. B V Raghu Rama Chandra Rao, S/o Subrahmanyeswara Rao, aged about 36 years, r/o Bhaskarapuram, Machilipatnam.
2. The State of Andhra Pradesh, Represented by its Public Prosecutor High Court of A.P, Nelapadu, Amaravathi. Through State rep.by Public Prosecutor, Machilipatnam.

...Respondent/Respondent/Complainant

Counsel for the Petitioner :M/S CKR ASSOCIATES

Counsel for the Respondent :

Petition under Section 397 & 438(1) OF BNSS 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 of imprisonment recorded in the Judgment dated 10.08.2023 passed in C.C.No. 1893 of 2021 by the I Additional Judicial Magistrate of I Class-Cum-I Additional Junior Civil Judge, Machilipatnam as confirmed and recorded in the Judgment dated 03.10.2025

passed in Criminal Appeal No. 99 of 2023 by the Hon'ble Court of the Principal District & Sessions Judge, Krishna, Machilipatnam pending disposal of the Criminal Revision Case and pass Pending disposal of CRLRC No. 1369 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of CKR ASSOCIATES Advocate for the Petitioner(s) and of GP FOR HOME (AP) ,Advocate for the Respondent(s).

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 the learned counsel for the petitioner and the learned Assistant Public Prosecutor.

Sentence of imprisonment imposed by the learned District and Sessions Judge, Krishna at Machilipatnam, vide order dated 03.10.2025 in Cri.A.No.99 of 2023 alone is suspended pending disposal of the Criminal Revision Case.

The petitioner herein shall be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for the like sum each to the satisfaction of the learned I Additional Judicial Magistrate of First Class-Cum-I Additional Junior Civil Judge, Machilipatnam.

The petitioner shall deposit 10% of the cheque amount before the learned I Additional Judicial Magistrate of First Class-Cum-I Additional Junior Civil Judge, Machilipatnam, within a period of four (04) weeks from this date.

Failing to deposit 10% of the cheque amount, the learned Trial Court shall take appropriate steps for recovery of the said amount. And on such deposit the respondent No.1/complainant is at liberty to

withdrawn the same by producing sufficient sureties to the satisfaction of the learned I Additional Judicial Magistrate of First Class-Cum-I Additional Junior Civil Judge, Machilipatnam.

//TRUE COPY//

For

SD/- G.HELANAIDU
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The I Additional Judicial Magistrate of I Class -cum-I Additional Junior Civil Judge, Machilipatnam.
2. The District & Sessions Judge, Krishna at Machilipatnam.
3. B V Raghu Rama Chandra Rao, S/o Subrahmanyeswara Rao, r/o Bhaskarapuram, Machilipatnam.(By RPAD)
4. The Public Prosecutor High Court of A.P, Nelapadu, Amaravathi. Through State Machilipatnam.(By RPAD)
5. One CC to SRI. CKR ASSOCIATES Advocate [OPUC]
6. One spare copy

HIGH COURT

DR.YLR, J

DATED:03/12/2025

POST THE MATTER AFTER EIGHT (8) WEEKS.

ORDER

I.A.No. 01 of 2025
IN
CRLRC.No.1369 of 2025

SUSPENSION

