

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI**Main Case No: Crl.A.No.872 of 2025****PROCEEDING SHEET**

Sl. No.	Date	ORDER	OFFICE NOTE
02.	07.01.2026	<u>BVLNC,J</u> <u>I.A.No.01 of 2025</u> Heard Sri Devarayalu B.M., learned counsel for the petitioner/appellant/convict and learned Additional Public Prosecutor representing the State. Petitioner is the accused in S.C.No.51 of 2024 on the file of the learned Special Judge for Trial of offences against Women-cum-V Additional District and Sessions Judge, Vizianagaram. Learned counsel for the petitioner/appellant would submit that petitioner/convict was found guilty for the offence under section 376(1) of IPC. Accordingly, he was convicted U/s.235(2) Cr.P.C. and sentenced to undergo rigorous imprisonment for a period of twelve (12) years and to pay fine of Rs.2,000/- (Rupees Two Thousand only) in default, shall undergo simple imprisonment for a period of one (01) month for the offence under Section 376(1) of IPC. Contd.,2	

		The learned counsel for the petitioner/appellant would submit that the learned trial Court erroneously convicted the petitioner without appreciating the facts in proper perspective. Hence, the petitioner preferred the appeal, challenging the judgment on various grounds. He would further submit that the sentence imposed by the learned trial Court is a fixed sentence for a period of twelve (12) years, and there are fair chances to succeed in the appeal, and there is no possibility of hearing the appeal in the near future. He would further submit that the petitioner was lodged in Central Jail, Visakhapatnam, the order of sentence imposed by the trial Court may be suspended, pending disposal of the appeal. Learned counsel for the petitioner/appellant would further submit that the petitioner paid the fine amount and filed original receipt along with the appeal grounds. Learned Additional Public Prosecutor opposed the application. However, no written objections filed. He fairly conceded that the petitioner was on bail during trial and before. Considering the above facts and circumstances, and as the sentence imposed by the trial Court is a fixed sentence of twelve	Contd.,
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		(12) years and as there is no possibility of hearing the appeal in the near future, this Court is of the considered opinion that <i>“the order of sentence of imprisonment alone imposed by the learned Special Judge for Trial of offences against Women-cum-V Additional District and Sessions Judge, Vizianagaram, Vide judgment dated 24.11.2025 in S.C.No.51 of 2024 shall be suspended, subject to the following conditions”:</i> i) The petitioner/appellant shall be enlarged on bail, on executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), with two (02) sureties for a like sum each, to the satisfaction of the learned trial Court. ii) On release, the petitioner / appellant shall appear before the learned trial Court, on every fourth Saturday of the month, till disposal of the Appeal. iii) The petitioner/appellant shall not leave the country without permission of the Court. iv) The petitioner/appellant shall not intimidate or annoy the victim or her family members in any manner.	Contd.,
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		v) 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, the application is ordered. <u>BVLNC,J</u> <u>Crl.A.No.872 of 2025</u> Heard. Admit. Call for Trial Court record. Registry is directed to prepare paper booklet, as soon as trial Court record is received. List the matter in the first week of April, 2026, in usual course. <u>BVLNC,J</u> Pmk	
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