

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

WEDNESDAY, THE THIRD DAY OF NOVEMBER, TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE AHSANUDDIN AMANULLAH

AND

THE HONOURABLE SRI JUSTICE B.KRISHNA MOHAN

IA No. 1 OF 2021

IN

CRLA NO: 2678 OF 2018



Between:

Gumma Atchaiah, S/O Raju, Age 48 years, Convict No.7060, R/o. Atchalagadda Village, Dacheipalli Mandal, Gutntur District (Now the petitioner is in central Prison, Central Prison, Rajahmundry, A.P.)

...Petitioner / 2nd Appellant / A-2

AND

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

...Respondent/Respondent/Complainant

Petition under Section 389 (1) CrPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to release the petitioner on bail in CrI.A.No. 2678/2018 before this Hon'ble Court by suspending the judgment passed in S.C.No. 115 of 2016 by the Court of X Additional District and Sessions Judge, Gurazala, Guntur District, Andhra Pradesh, dated 11-09-2018, pending disposal of CrI. A. No. 2678 of 2018, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof, the earlier orders of the High Court dt. 22.10.2021 and 01.11.2021 and upon hearing the arguments of Sri Dr. Challa Srinivasa Reddy, Advocate for the Appellant and of PUBLIC PROSECUTOR, Advocate for the Respondent/State, the Court made the following:

ORDER

(Per Hon'ble Mr. Justice Ahsanuddin Amanullah)

Heard Mr.Challa Srinivasa Reddy, learned counsel for the petitioner, and Mr.S.Dushyanth Reddy, Additional Public Prosecutor for the respondent.

The petitioner has moved the Court seeking bail in connection with CrI.A.No.2678 of 2018 on the file of X Additional District and Sessions Judge, Gurazala, Guntur.

The petitioner, who is a convict, was released with other convicts on health grounds on 24.07.2021. This Court had earlier directed for holding medical examination by a Board.

Learned Additional Public Prosecutor submitted that report has been received by him which indicates that the petitioner is suffering from unstable angina which requires management. It was submitted that there is no occasion for the petitioner to be released on bail as he is only required to take prescribed medicines, which can very well be done even in prison.

Learned counsel for the petitioner submitted that the Court may grant a few days time to surrender before the jail authorities.

In view thereof, the Interlocutory Application stands disposed of with the observation that the petitioner shall surrender before the Central Prison, Rajamahendravaram on 08.11.2021 by 5:00 PM."

SD/- K.SRINIVAS RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The X Additional, District and Sessions Judge, Gurazala, Guntur District.
2. I Additional Junior Civil Judge, Gurazala, Guntur.
3. The Superintendent, Central Prison, Rajahmundry, A.P.
4. One CC to Dr. Ch.Srinivasa Reddy, Advocate (OPUC)
5. One CC to the PUBLIC PROSECUTOR (AP) Advocate [OPUC]
6. One spare copy

MSR

HIGH COURT

**AA,J
&
BKM,J**

DATED: 03/11/2021

ORDER

**IA NO. 1 OF 2021
IN
CRLA.NO.2678 OF 2018**

DIRECTION

