

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

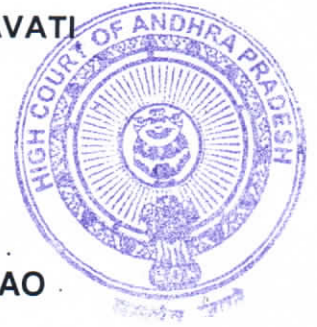
THURSDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE M.GANGA RAO

AND

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO



IA Nos. 1 & 2 OF 2022

IN

CRLA NO: 2678 OF 2018

Between:

Gumma Atchaiah, S/o Raju, Age 48 years, Convict No.7060, R/o. Atchalagadda Village, Dachepalli Mandal, Guntur 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

IA NO.1 OF 2022

Petition under Section 389(1) of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed in Criminal Appeal, the High Court may be pleased to release the petitioner on bail for a period of three months in CrI.A.No. 2678/2018 before this Hon'ble Court which filed against 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 CRLA No. 2678 of 2018, on the file of the High Court.

IA NO.2 OF 2022

Petition under Section 389(1) of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed in Criminal Appeal, the High Court may be pleased to release the petitioner on bail for a period of three months in CrI.A.No. 2678/2018 before this Hon'ble Court which filed against 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 CRLA No. 2678 of 2018, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof, the earlier orders of the High Court dt. 22.10.2021, 01.11.2021 & 03.11.2021 and upon hearing the arguments of Sri Dr. Challa Srinivasa Reddy, Advocate for the Appellant and of Public Prosecutor for the Respondent, the Court made the following:

ORDER:

"IA.No.1 of 2022 has been filed, on 21.02.2022, on behalf of the petitioner-2nd appellant-A2 to release the petitioner on bail for a period of three months, on medical grounds, pending Criminal Appeal.

Pending the said application, IA.No.2 of 2022, has been filed, on 16.09.2022, to release the petitioner-A2 on interim bail for a period of three months, on medical grounds, pending Criminal Appeal, inter alia, stating that the petitioner is suffering with heart problems and taking treatment in the jail, and if interim bail is granted, he intends to take treatment in a specialized hospital.

Learned Additional Public Prosecutor, on written instructions, dated 29.09.2022, a copy of which is placed on record, along with copy of medical certificate issued by the Deputy Civil Surgeon, Central Prison Hospital, Rajamahendravaram, states that the petitioner was diagnosed to be suffering with Coronary Artery disease with post PTCA with Hypertension with Diabetes Mellitus and referred several times to Government District Hospital, Rajamahendravaram and Government General Hospital, Kakinada and at present his health condition is stable.

Now that the health condition of the petitioner is stable, we are not inclined to enlarge the petitioner on interim bail.

Accordingly, the Applications are dismissed."

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

For SECTION OFFICER

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. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. Two spare copies.

MSR

HIGH COURT

MGR,J & TMR,J

DATED:13/10/2022

ORDER

POST ON 29.12.2022

**IA Nos. 1 & 2 OF 2022
IN
CRLA.No.2678 of 2018**

INTERIM BAIL

