

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE FIFTH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE

**:PRESENT:
THE HON'BLE SRI JUSTICE K.LAKSHMAN**

**IA Nos: 1 and 2 OF 2021
IN
CRLRC NO: 56 OF 2021**

Between:

Guvvala Syam Kumar, S/o.Rajaiah,

...Petitioner/Accused
(Petitioner in CRLRC.No.56 OF 2021
on the file of High Court)

AND

1. Vazrala Rajini Kumari, D/o Late Satyanarayana Reddy, Aged 55 years, r/o H No.11-14-224, Road No.10, Haripuri Colony, L.B. Nagar, Hyderabad.
 2. The State of Telangana, Rep. by its Public Prosecutor, High Court Bldgs., Hyderabad.
- ...Respondents/Complainants
(Respondents in-do-)

**Counsel for the Petitioner : SRI.G.V.RAMANA MURTHY
Counsel for the Respondent No.1 : SRI.N.KRISHNA SUMANTH
Counsel for the Respondent No.2 : PUBLIC PROSECUTOR (TG)**

IA.No.1 of 2021

Petition under Section 482 of Cr.P.C. praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of sentence in criminal appeal No.1338/2017 dt.16-3-2020, on the file of Hon'ble VIII Additional District and Sessions, Ranga Reddy District, pending disposal of the main CRLRC No.56 of 2021, on the file of the High Court.

IA.No.2 of 2021

Petition under Section 437 & 439 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant bail pending disposal of the main CRLRC No.56 of 2021, on the file of the High Court.

The Court made the following

ORDER

Vide common judgment, dated 17.12.2017, the III Special Magistrate, Hastinapuram at L.B.Nagar, Ranga Reddy District, in C.C.Nos.114, 115 and 116 of 2017, the petitioner was found guilty for the offence under Section 138 of the Negotiable Instruments Act. The same was confirmed by the VIII Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar, in Crl.A.No.1338 of 2017, dated 16.03.2020.

Learned counsel for the petitioner would submit that while suspending the common judgment of the trial Court, the appellate Court imposed a condition that the petitioner shall deposit a sum of Rs.50,000/- in C.C.No.114 of 2017, Rs.75,000/- in C.C.No.115 of 2017 and Rs.1,50,000/- in C.C.No.116 of 2017. According to him, the

petitioner has complied with the said order and deposited the said amount. He would further submit that the petitioner is on bail during the pendency of the appeal.

It is relevant to note that though the judgment is common in C.C.Nos.114, 115 and 116 of 2017, dated 17.12.2017, the petitioner herein has filed only one appeal i.e., Crl.A.No.1338 of 2017. It appears that respondent No.1 has not raised any objection before the appellate Court. Ultimately, both the petitioner and respondent No.1 have allowed the appellate Court to pass the impugned judgment in Crl.A.No.1338 of 2017.

Even herein, the petitioner filed only one revision i.e., Crl.R.C.No.56 of 2021. Thus, there are procedural irregularities and it can be looked into after getting record from the Court below.

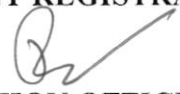
Learned counsel for the petitioner would submit that the petitioner is in jail since 20.02.2021 at Central Prison, Cherlapally.

Considering the said aspects and also the fact that the petitioner was on bail during the pendency of the appeal, the sentence of imprisonment imposed by the learned VIII Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar, vide judgment, dated 16.03.2020, in Crl.A.No.1338 of 2017, against the petitioner/accused, alone is hereby suspended until further orders, and he shall be enlarged on bail upon furnishing a personal bond for Rs.5,000/- (Rupees five thousand only) with two sureties for a like sum each to the satisfaction of the learned III Special Magistrate, Hastinapuram at L.B.Nagar, Ranga Reddy District.

The applications are accordingly allowed.

//TRUE COPY//

Sd/- B.SATYAVATHI
ASSISTANT REGISTRAR


SECTION OFFICER

To

1. The VIII Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar.
2. The III Special Magistrate, Hasthinapuram, L.B.Nagar, Ranga Reddy District.
3. The Superintendent, Central Prison, Cherlapalli, Ranga Reddy District.
4. Vazrala Rajini Kumari, D/o Late Satyanarayana Reddy, r/o H No.11-14-224, Road No.10, Haripuri Colony, L.B. Nagar, Hyderabad. (BY RPAD)
5. Two CCs to the Public Prosecutor (TG), High court at Hyderabad (OUT)
6. One CC to SRI.G.V RAMANA MURTHY Advocate [OPUC]
7. One spare copy

HIGH COURT

KL.J

DATED: 05.03.2021

I.A.NOS.1 AND 2 OF 2021
IN
CRL.RC.NO.56 OF 2021

DIRECTION

