

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE: CrI.A.No.1104 of 2025

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
	28.10.2025	<u>SKS,J</u> <u>I.A.No.1 of 2025</u> This Interlocutory Application is filed with a prayer to suspend the execution of the sentence of imprisonment passed in S.C.No.19 of 2025 dated 14.10.2025, by the learned Principal Sessions Judge, Adilabad, for the offences under Sections 304-A, 338 of the IPC and Sections 181 and 196 of Motor Vehicles Act, whereby the appellant was sentenced to undergo Rigorous imprisonment for a period of one year and to pay a fine of Rs.5,000/-, and in default, to undergo simple imprisonment for a period of fifteen days for the offence punishable under Section 304-A of the IPC and was sentenced to undergo Rigorous imprisonment for a period of six months and to pay a fine of Rs.500/-, and in default, to undergo simple imprisonment for a period of one week for the offence punishable under Section 338 of the IPC and was sentenced to undergo Rigorous imprisonment for a period of three months and to pay a fine of Rs.1,000/-, and in default, to undergo simple imprisonment for a period of one week for the offence	

	punishable under Section 181 of Motor Vehicles Act, of the IPC and was further sentenced to undergo Rigorous imprisonment for a period of three months and to pay a fine of Rs.1,000/-, and in default, to undergo simple imprisonment for a period of one week for the offence punishable under Section 196 of Motor Vehicles Act. It is further noted that the sentence of imprisonment has already been suspended by the trial Court for 30 days. Heard learned counsel for the appellant. Learned counsel for the appellant submitted that the trial court had found the appellant guilty for the offences punishable under Sections 304-A, 338 of the IPC and Sections 181 and 196 of Motor Vehicles Act and was convicted him under Section 235(2) of Cr.P.C, and sentenced him to undergo Rigorous imprisonment for a period of one year and to pay a fine of Rs.5,000/-, and in default, to undergo simple imprisonment for a period of fifteen days for the offence punishable under Section 304-A of the IPC and was sentenced to undergo Rigorous imprisonment for a period of six months and to pay a fine of Rs.500/-, and in default, to undergo simple imprisonment for a period of one week for the offence punishable under Section 338 of the IPC and was sentenced to undergo Rigorous imprisonment for a period of three months and to pay a fine of Rs.1,000/-,	
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		and in default, to undergo simple imprisonment for a period of one week for the offence punishable under Section 181 of Motor Vehicles Act, of the IPC and was further sentenced to undergo Rigorous imprisonment for a period of three months and to pay a fine of Rs.1,000/-, and in default, to undergo simple imprisonment for a period of one week for the offence punishable under Section 196 of Motor Vehicles Act. Learned counsel for the appellant further submitted that the appellant has strong grounds to succeed in the appeal, as there are no proper grounds to convict him for the alleged offences. It is further noted that the sentence of imprisonment has already been suspended by the trial Court for 30 days. Therefore, he prayed that the Court may suspend the sentence imposed by the trial Court till disposal of the appeal. On the other hand, the learned Additional Public Prosecutor appearing for the respondent – State opposed the same, contending that there is no illegality in the order of the trial Court, which has rightly convicted the appellant for the offences alleged. He submitted that there is ample evidence on record against the appellant and, therefore, prayed that the petition be dismissed. Perused the contents of the affidavit filed in	
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		support of the petition. Having regard to the rival submissions and on going through the material placed on record, it is noted that the appellant was convicted under Section 235(2) of Cr.P.C, and was sentenced to undergo Rigorous imprisonment for a period of one year and to pay a fine of Rs.5,000/-, and in default, to undergo simple imprisonment for a period of fifteen days for the offence punishable under Section 304-A of the IPC and was sentenced to undergo Rigorous imprisonment for a period of six months and to pay a fine of Rs.500/-, and in default, to undergo simple imprisonment for a period of one week for the offence punishable under Section 338 of the IPC and was sentenced to undergo Rigorous imprisonment for a period of three months and to pay a fine of Rs.1,000/-, and in default, to undergo simple imprisonment for a period of one week for the offence punishable under Section 181 of Motor Vehicles Act, of the IPC and was further sentenced to undergo Rigorous imprisonment for a period of three months and to pay a fine of Rs.1,000/-, and in default, to undergo simple imprisonment for a period of one week for the offence punishable under Section 196 of Motor Vehicles Act. Considering the facts and submissions in the case, this Court deems it fit to allow this petition.	
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Accordingly, this application is allowed, and the sentence passed by the trial Court in S.C.No.19 of 2025 dated 14.10.2025, by the learned Principal Sessions Judge, Adilabad, is suspended till the disposal of the appeal on the same conditions imposed by the trial Court while suspending the sentence.

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ADMIT.

List on 02.12.2025.

In the meantime, Registry is directed to call for record from the trial Court and prepare paper book and place before this Court.

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SKS,J