



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI
IA No. 1 & 2 OF 2023

IN

CRLRC NO: 206 OF 2023

Between:

Teegarapu Rama Krishna, S/o. T. Kumara Swamy, Aged about 33 years, Hindu,
Railway Employee, R/o. D.No.9-54/21, Near Padmasali Bazar, Tadepalli, Guntur
District

...Petitioner/Appellant/Accused
(Petitioner in CRLRC 206 OF 2023
on the file of High Court)

AND

1. The State of Andhra Pradesh, rep by The Public Prosecutor, High of A.P..
Amaravathi
2. Madhu Venkata Amar Kumar, S/o. Srinivas, Aged About 29 years, D.No.4-
80/2. Behind Koneru Kishore Complex, Enikepadu, Vijayawada Rural, Krishna
District.(Complainant)

...Respondents
(Respondents in-do-)

Counsel for the Petitioner : Sri ANASURI ESWAR SAI

Counsel for the Respondent No.1: PUBLIC PROSECUTOR (AP)

IA No. 2 OF 2023

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 conviction and sentence imposed by I Special Magistrate Vijayawada, Krishna District in CC no.13 of 2018 dated 19.11.2018 there by confirmed by the XII Additional District Judge - cum - VI Additional Metropolitan Magistrate. Vijayawada, Krishna District by judgement dated 27.02.2023 in Crl. Appl no. 330 of 2018 , Pending disposal of CRLRC No. 206 of 2023, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

"The petitioner was found guilty for the offence punishable under Section 138 of the Negotiable Instruments Act, convicted and sentenced to undergo simple imprisonment for a period of six months and to pay a fine of Rs.5,00,000/- and in default of payment of fine, to suffer simple imprisonment for a period of six weeks. Further, out of the fine amount, an amount of Rs.4,90,000/- was awarded as compensation to the complainant, vide judgment, dated 19.11.2018, in C.C.No.13 of 2018 on the file of the Court of I Special Magistrate, Vijayawada, Krishna District.

The appeal preferred by the petitioner/ accused is dismissed confirming the conviction and sentence passed against him, vide judgment, dated 27.02.2023, in CrI.A.No.330 of 2018 of the learned XII Additional District Judge-cum-VI Additional Metropolitan Magistrate, Vijayawada.

Heard learned counsel for the petitioner/accused and learned Assistant Public Prosecutor appearing for the 1st respondent – State. Perused the material record.

Learned counsel for the petitioner submits that in view of the grounds urged in the revision, the petitioner has got fair chances of success in the revision.

Having regard to the facts & submissions and the issues raised in the grounds of revision, which require detailed examination, the execution of sentence passed against the petitioner is suspended, pending final disposal of the revision, and the petitioner, on surrender within three weeks from today before the learned I Special Magistrate, Vijayawada, is directed to be enlarged on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties in a like sum each to the satisfaction of I Special Magistrate, Vijayawada, and also on condition of the petitioner depositing 25% of the cheque amount within a period of eight (8) weeks from today. In default of deposit of cheque amount, as ordered supra, the interim suspension granted today, shall stand cancelled automatically without further reference to the Court."

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

For /

SECTION OFFICER

To,

1. The I Special Magistrate Vijayawada, Krishna District .
2. The XII Additional District Judge - cum - VI Additional Metropolitan Magistrate. Vijayawada, Krishna District.
3. Madhu Venkata Amar Kumar, S/o. Srinivas, Aged About 29 years, D.No.4-80/2. Behind Koneru Kishore Complex, Enikepadu, Vijayawada Rural, Krishna District.(By RPAD)
4. One CC to SRI. ANASURI ESWAR SAI Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
6. One spare copy.

psk

HIGH COURT

BSBJ

DATED:20/03/2023

POST AFTER FOUR WEEKS

ORDER

IA No. 1 & 2 OF 2023
IN
CRLRC NO: 206 OF 2023

DIRECTION

