

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

:PRESENT:
THE HONOURABLE MS JUSTICE B S BHANUMATHI



IA No. 2 OF 2023
IN
CRLRC NO: 170 OF 2023

Between:

Nukathoti Aruna Kumari, W/o. Gosala Srinivasarao, Hindu, Age 46 years, Occ Teacher, MPUP School, Sankarapuram Village, Addanki Mandal.

...Petitioner/Revision Petitioner
(Petitioner in CRLRC 170 OF 2023
on the file of High Court)

AND

1. Gadamsetty Srinivas, S/o. Guravaiah, Hindu, Age 46 years, Occ Business, R/o. Narasaraopet, Palnadu District.
2. The State of AP, Rep.by Public Prosecutor, High Court of AP, AT Amaravathi.

...Respondents/ Respondents
(Respondents in-do-)

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of grounds filed in support of the Criminal Revision Case, the High Court may be pleased to suspend the sentence, in view of the above stated circumstances, in C.C.No. 557 of 2016 on the file of I Judicial First Class Magistrate, Narasaraopet, and same was confirmed by the Appellate Court XIII Addl. Sessions Judge, Narasaraopet in CrI.A.No. 1 of 2021, dt: 13-12-2022, Pending disposal of CRLRC No. 170 of 2023, on the file of the High Court.

Counsel for the Petitioner :SRI CHAKRAVARTHY P V S K

Counsel for the Respondent No.2 :PUBLIC PROSECUTOR

The Court made the following

ORDER:

The petitioner/Accused is found guilty for the offence punishable under Section 138 of Negotiable Instruments Act, convicted and sentenced to undergo rigorous imprisonment for a period of six months and to pay compensation amount of Rs.2,40,000/- and in default of payment of fine to undergo simple imprisonment for a period of one month, *vide* judgment, dated 15.12.2020, in C.C.No.557 of 2016 on the file of the Court of I Additional Junior Civil Judge, Narasaraopet.

The sentence imposed on the petitioner/accused is confirmed by first appellate Court, *vide* judgment, dated 13.12.2022, in Criminal Appeal No.1 of 2021 of the learned XII Additional Sessions Judge, Narasaraopet.

Heard learned counsel for the petitioner/Accused and learned Assistant Public Prosecutor appearing for the 2nd 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 substantive sentence of imprisonment alone imposed against the petitioner is suspended, pending final disposal of the revision, and the petitioner on surrender before the learned I Additional Junior Civil Judge, Narasaraopet within a period of three weeks from today, shall 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 the learned I Additional Junior Civil Judge, Narasaraopet and also on condition of his depositing 20% of the compensation 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/-K.KASIRAO ACHARI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Judicial First Class Magistrate, Narasaraopet
2. The XIII Additional Sessions Judge, Narasaraopet
3. The I Additional Junior Civil Judge, Narasaraopet
4. Gadamsetty Srinivas, S/o. Guravaiah, Occ Business, R/o. Narasaraopet, Palnadu District. (By RPAD)
5. One CC to SRI. CHAKRAVARTHY P V S K Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh[OUT]
7. One spare copy

PSR

HIGH COURT

BSB,J

DATED:03/03/2023

NOTE: POST THE REVISION AFTER FOUR WEEKS

BAIL ORDER

IA No. 2 OF 2023
IN
CRLRC NO: 170 OF 2023

INTERIM SUSPENSION

