

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE NINTH DAY OF MAY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
IA No. 3 OF 2023

IN

CRLRC NO: 362 OF 2023



Between:

Boya Nagaraju, S/o. Somanna, Aged about 40 years, Occ. Car Driver, R/o. Huts
behind S.C. Corporation, B.Camp, Kurnool Town, Kurnool District, A.P.
...Petitioner/Appellant

AND

The State Of Andhra Pradesh, Rep. by Public Prosecutor at High Court of A.P.,
Through S.H.O., Kurnool III town P.S., Kurnool District, A.P.

...Respondent

Petition under Section 482 of Cr.P.C., praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to list the matter under the caption of "For Being Mention" for rectification of the order dated 28-04-2023 in I.A. No. 2 of 2023 in CRLRC No. 362 of 2023, Pending disposal of CRLRC No. 362 of 2023, on the file of the High Court.

IA No.2 of 2023:

Petition under Section 397 (1) of Cr.P.C., praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to suspend the execution of sentence of imprisonment against the petitioner herein in CrI.A No. 90 of 2016 passed on the file of Hon'ble Court of I Additional District and Sessions Judge, Kurnool dated 14-10-2019, Pending disposal of CRLRC No. 362 of 2023, on the file of the High Court.

This petition having been set down for "for being mentioned" pursuant to the order dated 28.04.2023 made herein and upon hearing the arguments of Sri V NITESH, Advocate for the Petitioner and PUBLIC PROSECUTOR for the Respondent, made the following

ORDER:

For the reasons stated in the accompanying affidavit, filed in support of the petition, IA is allowed and the order, dated 28.04.2023, passed in IA.No.2 of 2023 is modified as follows:

"In the circumstances, the sentence of imprisonment alone is suspended, pending disposal of the Criminal Revision Case, and the petitioner herein is directed to surrender before the Judicial Magistrate of First Class (Special Mobile Court), Kurnool, within a period of two (2) weeks from the date of receipt of copy of this order and, on such surrender, he 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 for a like sum each to the satisfaction of the Judicial Magistrate of First Class (Special Mobile Court), Kurnool".

//TRUE COPY//

For

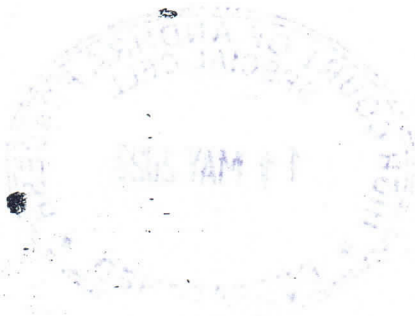
SD/- A.VIJAYA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class (Special Mobile Court), Kurnool.
2. The I Additional District and Sessions Judge, Kurnool.
3. The Station House Officer, Kurnool III town P.S., Kurnool District, A.P
4. One CC to SRI. V NITESH Advocate [OPUC]
5. Two CCs to Public Prosecutor (AP) High Court of Andhra Pradesh [OUT]
6. **One spare copy**

CVSS



HIGH COURT

SRKJ

DATED:09/05/2023

ORDER

I.A.No.3 of 2023

IN

CRLRC.No.362 of 2023

DIRECTION

