

ITEM NO.49

COURT NO.3

SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 5604/2017

(Arising out of impugned final judgment and order dated 27-03-2017 in CRLMP No. 606/2017 passed by the High Court Of Judicature At Hyderabad For The State Of Telangana And The State Of Andhra Pradesh)

MANAVELTI GURUPRASAD

Petitioner(s)

VERSUS

THE STATE OF ANDHRA PRADESH

Respondent(s)

(IA No.65424/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 21-08-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s) Mr. S.B. Upadhyay, Sr. Adv.
Mr. Y.K.S Chauhan, Adv.
Mr. Durga Prasad, Adv.
Mr. Kumud Lata Das, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in part, in terms of the signed order.

Pending application(s), if any, stand disposed of.

(OM PARKASH SHARMA)
AR CUM PS

(SUMAN JAIN)
BRANCH OFFICER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 1482 OF 2017
[Arising out of SLP (Crl.) No. 5604 of 2017]

MANAVELTI GURUPRASAD
S/O GOVINDA RAO

... APPELLANT

VERSUS

THE STATE OF ANDHRA PRADESH

...RESPONDENT

O R D E R

1. Leave granted.
2. The appellant was convicted for the offences punishable under Sections 120B, 302 and 201 read with Section 109 I.P.C by II Additional District Judge (FAC), Parvathipuram, Vizianagaram vide order dated 24.04.2015 in S.C No. 47 of 2013. The appellant challenged the said order before the High Court of Judicature at Hyderabad in Crl.A. No. 452 of 2015. In the said case the appellant filed an application Crl.A.M.P. No. 606 of 2017 for his release on bail by suspending the execution of the sentence. The High Court rejected the application vide order dated 27.03.2017. The appellant has called in question the legality and correctness of the said order in this appeal.
3. Learned counsel for the appellant submits that the appellant's mother is unwell. The doctor has suggested for her surgery and the assistance of the appellant is required

at the time of her surgery. He has to make necessary arrangements for the surgery. Therefore, the appellant may be granted bail for eight weeks.

4. Learned counsel for the respondent State has opposed the application.

5. Having heard learned counsel for the parties, we are of the view that it is just and proper to direct release of the appellant on bail for a period of eight weeks so that he can make arrangements for surgery of his mother. Therefore, we order the release of the appellant on bail from 28.08.2017 to 22.10.2017, on execution of his personal bond of Rs. 25,000/- with one surety in the like sum, to the satisfaction of the trial judge. The order of sentence stands suspended from 28.08.2017 to 22.10.2017. The appellant shall surrender on 23.10.2017 at 11 A.M. before the Superintendent of Jail, Central Prison Vishakhapatnam, A.P. The Superintendent of Jail is directed to intimate surrender of the appellant to the sessions court which had convicted him immediately on his surrender. The appeal is allowed in part.

.....**J.**
(J. CHELAMESWAR)

.....**J.**
(S. ABDUL NAZEER)

New Delhi;
August 21, 2017.