

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR



PRESENT

THE HON'BLE SRI JUSTICE T. MALLIKARJUNA RAO

CRIMINAL REVISION CASE NO: 308 OF 2024

Between:

1. Ramireddi Deepak, S/o.Veerababu (A-8) Aged 25 years, R/o.Door No.2-20, Ramireddyvari Street, Fakruddinpalem Pithapuram Mandal, Kakinada District, Andhra Pradesh
2. Ramireddy Veerababu (A-9), S/o.Bhimachakram, aged 55 years, Petrol Bunk Business, R/o.Door No.2-20, Ramireddyvari Street, Fakrudinpalem Pithapuram Mandal, Kakinada District, Andhra Pradesh
3. Ramireddi Bharat, S/o.Veerababu (A-10) Aged about 26 years, R/o.Door No.2-20, Ramireddyvari Street, Fakruddinpalem Pithapuram Mandal, Kakinada District, Andhra Pradesh.

...Petitioners/A-8, A-9 & A-10

AND

The State of Andhra Pradesh, Rep.by Public Prosecutor High Court of Andhra Pradesh at Amaravati.

...Respondent

Revision filed under Section 397 R/w 401 of CrI.P.C. praying that in the circumstances stated in the affidavit filed in support of the Criminal Revision Case, the High Court may be pleased to set aside the orders passed by the VI Additional Sessions Judge, Kakinada in CrI.M.P.No.637/2023 in CrI.M.P. Bail No. 178/2023 dt. 19-01-2024.

IA NO: 1 OF 2024

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 orders passed by the VI Additional Sessions Judge in CrI.M.P.No.637/2023 in CrI.M.P. Bail No.178/2023 dt. 19-01-2024.

Counsel for the Petitioners: SRI. D. KODANDARAMI REDDY

Counsel for the Respondent: PUBLIC PROSECUTOR

The Court made the following ORDER:

APHC010157742024



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3369]

FRIDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

CRIMINAL REVISION CASE NO: 308/2024

Between:

Ramireddi Deepak and Others

...PETITIONER(S)

AND

The State Of Andhra Pradesh

...RESPONDENT

Counsel for the Petitioner(S):

1.D KODANDARAMI REDDY

Counsel for the Respondent:

1.PUBLIC PROSECUTOR (AP)

The Court made the following:

ORDER:

This Criminal Revision Case is filed under Sections 397 and 401 of the Code of Criminal Procedure (for short 'Cr.P.C.') against the order passed in CrI.M.P.No.637 of 2023, dated 19.01.2024 on the file of the Court of VI Additional Sessions Judge, Kakinada, East Godavari District in cancelling the anticipatory bail granted to the petitioners in

CrI.M.P.No.178 of 2023 in Crime No.282 of 2023 dated 25.09.2023 on the file of Court of VI Additional Sessions Judge, Kakinada.

2. Heard learned counsel for the revision petitioners and learned Assistant Public Prosecutor.

3. Perused the material on record.

4. In the impugned order, the learned Sessions Judge observed that the Respondent/Accused 8 to 10 had submitted photographs purportedly showing their attendance at the police station and upon careful examination, it was found that most of these photographs were taken outside the premises of the police station and the material provided was deemed insufficient to demonstrate the petitioners' compliance with the conditions outlined in CrI.M.P.No.178 of 2023. Nonetheless, the prima facie material, coupled with the observations made by the learned Sessions Judge, suggests the petitioners' intention to adhere to the bail conditions by making an effort to visit the police station.

5. This Court finds it difficult to accept the Sessions court's reasoning that the petitioners went to the police station solely to take photographs. The notion that the petitioners would attend the police station merely for photographic evidence seems implausible. It

appears somewhat perplexing to this Court. The petitioners assert that they did, in fact, attend the police station and were present there while awaiting further instructions. However, they contend that the investigating officer, for the reasons best unknown to him, reported to the Court as if they had violated the conditions imposed.

6.. The learned counsel for the Petitioners asserts that there was no intention to breach the conditions outlined in CrI.M.P.No.178 of 2023. At this juncture, it remains inconclusive to ascertain the veracity of the claims made by both parties. When considering the material produced, it appears improbable that the petitioners' visit to the police station was solely to fabricate evidence. The learned Sessions Judge, in the opinion of this Court, may not have adequately addressed the contentions raised by the petitioners. If the petitioners were indeed present outside the police station, there would have been no hindrance preventing them from entering into the premises. Additionally, the photographs submitted by the petitioners' counsel to show their presence inside the police station, refuting the assertion made by the police that they remained outside. The learned Assistant Public Prosecutor suggests that instead of keeping the revision petition pending, the petitioners could be directed to appear before the jurisdictional magistrate twice a week, specifically on Tuesdays and

Fridays between 10:00 A.M. and 1:00 P.M., until the filing of the charge sheet.

7. Accordingly, the Criminal Revisions Case is **disposed of**, by setting aside the orders dated 19.01.2024 passed in CrI.M.P.No.637 of 2023 in CrI.M.P.Bail No.178 of 2023 on the file of VI Additional Sessions Judge, Kakinada, with a direction that the Petitioners shall be available before the jurisdictional Court, commencing from the date of receipt of this order, on a bi-weekly basis, specifically every Tuesday and Friday between 10:00 A.M. and 1:00 P.M., until the filing of the charge sheet. The attendance of the Petitioners shall be noted by the concerned jurisdictional Magistrate.

8. Pending miscellaneous applications, if any, shall stand closed.

SD/- V DIWAKAR
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The VI Additional Sessions Judge, Kakinada.
2. One CC to Sri. D. Kodandarami Reddy, Advocate [OPUC]
3. Two CCs to the Public Prosecutor, High Court of A.P. at Amaravathi [OUT]
4. Three CD Copies

Chp
sree

HIGH COURT

DATED:10/05/2024

ORDER

CRLRC.No.308 of 2024



DISPOSING OF THE CRIMINAL REVISION CASE