

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

WEDNESDAY, THE SEVENTH DAY OF FEBRUARY,
TWO THOUSAND AND EIGHTEEN
: PRESENT :

THE HON'BLE SMT JUSTICE T.RAJANI

I.A.No. 1 OF 2018
IN
Crl.A.M.P.No. 469 of 2017
IN
CRIMINAL APPEAL.No.224 of 2017

Between:

Bandarupalli Vinod Kumar, S/o. Sriramulu

Petitioner/Accused No.1
(Appellant in Crl.A.No.224/2017
on the file of the High Court)

AND

The State of Andhra Pradesh, rep by its Public Prosecutor, High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh.

Respondent/Complainant
(Respondent in-do-)

Petition under Section 482 of Cr.P.C. praying that in the circumstances stated in the grounds filed in the Criminal Appeal, the High Court may be pleased to modify the order dt. 06-03-2017 passed in Crl.A.M.P.No. 469 of 2017 in Crl.A.No. 224 of 2017 of this Hon'ble Court by deleting the following condition "having regard to the above the I Addl. District and Sessions Judge, Chittoor shall verify as to whether PW.1 has married another person and is living happily", pending disposal of the above Criminal Appeal No. 224/2017 on the file of the High Court.

Crl.A.M.P.No. 469 of 2017:

Petition under Section 389(1) of Cr.P.C. praying that in the circumstances stated in the grounds filed in the Criminal Appeal, the High Court may be pleased to suspend the execution of sentence dt. 21-02-2017 passed in POCSO S.C.No. 22 of 2014 on the file of the I Additional District & Sessions Judge, Chittoor, Chittoor District, and release the petitioners on bail, pending disposal of the above Criminal Appeal No. 224/2017 on the file of the High Court.

The Petition coming on for hearing upon perusing the petition and grounds filed herein and the order of the High Court dated. 06-03-2017 made in Crl.A.M.P.No. 469/2017 and upon hearing the arguments of Sri D.Purna Chandra Reddy, Advocate for the Petitioner and of the Public Prosecutor (AP) for the Respondent, the Court made the following

ORDER:

" This petition is filed seeking for modification of the order dated 06-03-2017, passed in the Crl.A.M.P.No. 469 of 2017 in Crl.A.No. 224 of 2017 of this Court, by deleting the following condition:

"having regard to the above the I Addl. District and Sessions Judge, Chittoor shall verify as to whether PW.1 has married another person and is living happily".

This Court, while disposing of the Criminal M.P.No. 469/2017 in Criminal Appeal No. 224 of 2017, granted bail to the petitioner on a condition of verification whether the de facto complainant has married another person and living happily.

The public prosecutor, now, on instructions, reports that the de facto complainant has married another person by name Mahesh and she is living happily with him.

Hence, in view of the above, there need not be any modification, since, on such verification revealing that the de facto complainant married another person and is living happily, the petitioner would be entitled for bail on conditions imposed in the said Criminal M.P.No. 469/2017.

Accordingly, this petition is disposed of in the above terms."

SD/- M. RAMANA KRISHNA
ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The I Additional District & Sessions Judge, Chittoor, Chittoor District
2. The Superintendent, District Jail, Chittoor, Chittoor District
3. Two CCs to the Public Prosecutor (AP), High Court, Hyd(OUT)
4. One CC to Sri D.Purna Chandra Reddy, Advocate(OPUC)
5. One spare copy.

SAH

HIGH COURT

TRJ

DATED: 07-02-2018

ORDER

I.A.NO. 1 OF 2018
IN
CRL.A.NO. 224 OF 2017

DIRECTION

