APHC010117302014

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3605]**

WEDNESDAY, THE 18th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

CRIMINAL APPEAL NO: 66/2014

Between:

1. NEMANA JAGANNAHDAM, S/o. LATE N.V.K. KAMESWARA RAO, EX SUB POST MASTER, R/o. D.No.23-53, GANESH COLONY, SRIKAKULAM DISTRICT.

...APPELLANT

AND

1. THE STATE OF CBI SPEC VISAKHAPATNAM, REP BYITS SPECIAL PUBLIC PROSECUTOR, FOR CBI CASE,

...RESPONDENT

Counsel for the Appellant:

1. GANDURI NAGESWARA RAO

Counsel for the Respondent:

1. M.SRAVAN KUMAR, Spl.PUBLIC PROSECUTOR FOR C.B.I.

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

CRIMINAL APPEAL NO: 66 OF 2014

The Court made the following JUDGMENT:

The learned Standing Counsel submits that the Appellant/Accused died on 15.10.2018 and has also filed the death certificate. The record reveals that the factum of the death of the Appellant was not brought to the notice of this Court by the Respondent for all these years. On 12.10.2026, when the matter was taken up for hearing, none appeared for the Appellant. Also noticing that no one had appeared on behalf of the Appellant even on the last two occasions, this Court directed the issuance of a Bailable Warrant to secure the presence of the Appellant for hearing the old appeal.

2. This conduct of the Respondent *prima facie* shows that they are responsible for the pendency of the Appeal for all these years despite the death of the Appellant and also kept the Court in the dark regarding the death of the Appellant. Therefore, on 12.10.2026, this Court issued the Bailable Warrant in the circumstances stated supra.

3. This Court in ***Chintapatla Kumaraswamy Vs. The State of A.P.***[1] observed that it is not just errors or a delay of a month or two in submitting the death or/and filing the death certificate of the Accused, but abnormal delay of a decade or years. Also observed facing this issue frequently in submitting the deaths after a decade or years, in the meantime issuing Bailable or Non-Bailable Warrants and hearing the Appeals as the death was not brought to

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the notice of the Court, the cascading consequences including listing of the cases and spending precious time on these matters, hearing the matter against the dead person, contributing the case remaining in the old pendency list, denting the image of the Judiciary and criticism for allowing them to function in such a way. Also observed the role of SHOs/Senior Officers from the stage of reporting of Offence/FIR, final disposal of the case, execution of sentence, if any, recovery of fine or compensation or both, if any, subsequent cases/antecedents, if any and placing them before the Courts and prosecution of the cases and also monitoring the Criminal cases/Appeals from their end, to give fresh instructions and proper co-ordination in theseTechnology days etc.

4. Accordingly, the Inspector of Police, CBI, Visakhapatnam is directed to submit a detailed report within two weeks from today on these lapses, for examination as per law.

5. Recording the death of the Appellant/Accused, the Appeal is dismissed as abated.

6. List on 04.12.2026 for compliance.

As a sequel, any pending miscellaneous petitions, if any, shall stand closed.

JUSTICE ALAPATI GIRIDHAR

Dt: 18.11.2026
CHD

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

CRIMINAL APPEAL NO: 66 OF 2014

18.11.2026

CHD