SS,J
Crl.R.C.No. 1619 of 2008
Dated 08.10.2026

APHC010155682008

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3560]**
(Special Original Jurisdiction)

THURSDAY, THE 8th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

CRIMINAL REVISION CASE NO: 1619 OF 2008

Between:

1. ANGALAKUDITI BABU RAO, S/O. VENKATESWARULU, R/O. VELLALACHERUVU VILLAGE, PAKASAM DISTRICT, DRIVER OF THIRUMALA DRAIRY, MINI LORRY AP 7 U .7279.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, rep by Public Prosecutor, High Court of A.P., Hyderabad.

...RESPONDENT

Counsel for the Petitioner:

1. LEGAL AID
2. V RAGHU

Counsel for the Respondent:

1. PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

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ORDER:

1. Instant Criminal Revision Case (for short Crl.R.C) has been preferred against the Judgment dated 04.11.2008 in Criminal Appeal No. 451 of 2006 passed by the learned X Additional District Judge (Fast Track Court), Guntur at Narasaraopet, dismissing the appeal and confirming the judgment of conviction dated 01.11.2006 passed by the learned II Additional Judicial Magistrate of I Class, Narasaraopet in C.C.No.103 of 2005 convicting the petitioner for the offence punishable under sections 324, 332 and 341 of the Indian Penal Code (for short I.P.C).

2. Heard Sri V.Raghu, learned Legal-aid counsel for the revision petitioner and Kum. Akhila Naidu, learned Assistant Public Prosecutor.

3. Perused the impugned Judgment of conviction and sentence passed by the learned trial court and confirmed by the learned appellate court.

4. Brief facts of the prosecution case:

5. Accused is a resident of Vellalacheruvu village, Prakasam District. On 01.11.2005 evening at 7.30 P.M, P.W.1 being the Conductor and P.W.2 being the driver of APSRTC Hire bus bearing Registration No.AP27 V 3992 left Narasaraopet for service to Muppala. While the bus was proceeding and when reached the scene of offence, the petitioner/accused being driver of mini lorry

bearing Registration No.AP07 U 7279 suddenly came to the back side of the said bus and tried to over take the bus, but the bus driver could not give side as there was no possibility in the road to give side. After some time, petitioner being the driver of mini lorry, overtook the bus and placed the mini lorry across the road, thereby wrongfully restrained the APSRTC hire bus and obstructed the bus. Thereafter, he dragged P.W.2 from the bus and started beating by an iron jack rod. When P.W.1 intervened, petitioner/ accused also beat P.W.1 with iron jack rod and caused severe injuries to P.W.1 and P.W.2. Thereafter, the passengers of the bus get down and rescued P.W.1 and P.W.2, caught hold the accused and handed over the petitioner/accused in Rompicherla police station along with a report of P.W.1. On the basis of such report, Crime No.50 of 2005 was registered for the offence under sections 324, 341, 332 & 290 of the Indian Penal Court, investigation started by police, ended in charge sheet. Injured were treated by the Doctors.

a. During trial, prosecution has examined as many as five (05) witnesses as P.W.1 to P.W.5, several documents were also exhibited as Ex.P.1 to Ex.P.8. Some contradictory statements of P.W.1 and P.W.2 were marked for defence side as Ex.D.1 to Ex.D.5.

6. After perusing the oral and documentary evidence, upon hearing both parties, learned Trial Court found the petitioner/accused to be guilty for the offence punishable under section 324, 332 and 341 of the Indian Penal Code and

recorded conviction under the same sections and sentenced him to undergo simple imprisonment for a period of six (06) months and to pay a fine of Rs.500/- (Five hundred only), in default of payment of fine, to suffer simple imprisonment for a period of one (01) month for each of the offence punishable under sections 324 and 332 of I.P.C; and further sentenced to pay a fine of Rs.500/- (Five hundred only), in default of payment of fine, to suffer simple imprisonment for a period of one (01) month for the offence punishable under section 341 of I.P.C.

7. The order of conviction and sentence was challenged before the appellate court. After hearing the parties, the appellate court confirmed the order of conviction as it found no reasons to interfere. Hence, this Criminal Revision Case has been preferred.

8. Heard learned Counsel for both parties.

9. Perused the observation of the learned trial court. It appears that P.W.1 and P.W.2 are the injured persons, who supported the prosecution case. P.W.3 is Doctor who examined injured persons and signed wound certificates marked as Ex.P.3 and Ex.P.4. P.W.4 appears to be a passenger of the bus, who turned hostile. P.W.5 is investigation officer.

10. Considering the entire material, it appears that the offence punishable under section 324 of the Indian Penal Code has been sufficiently proved, thought the investigation officer has not seized any material object in this case, but the injuries sustained by P.W.1 and P.W.2 has been sufficiently proved

by evidence of P.W.3. The Doctor's evidence also shows that at the time of examination, the accused found to be under influence of alcohol which *ipso facto* proved the prosecution case and corroboration with statement of P.W.1 and P.W.2. Considering the same, it appears that the learned trial court as well as the learned appellate court is justified in finding the petitioner guilty of the offence punishable under sections 324, 332 and 341 of the Indian Penal Code. There is no illegality or impropriety in the impugned order. The order of conviction and sentence is hereby sustained. There is no merit in the instance Criminal Revision Case.

11. Accordingly, the Criminal Revision Case is dismissed.

i. Order of suspension of sentence passed by this Court during pendency of this Criminal Revision Case is hereby vacated.

ii. Petitioner is directed to appear before the learned Trial Court or before the jail authority to serve out the remaining portion of sentence, subject to fact that his incarceration during the investigation, enquiry and trial is to be set off under section 428 of the Criminal Procedure Code (corresponding section 468 of the BNSS).

iii. The petitioner is not present before this court. Hence, the State is directed to intimate the direction of this court to the petitioner.

iv. Let the copy of this Judgment be furnished to the Trial Court for ready reference.

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

SRI JUSTICE SUBHENDU SAMANTA

Dated 08.10.2026
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THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

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Dated:08.10.2026.

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