APHC010577142026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

THURSDAY, THE 19th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 1260/2026

Between:

1. BOYA RAMANJANEYULU, S/O BOYA NARAYANA,AGED ABOUT 49 YEARS, OCC COOLIE, R/O KANAKAVEEDU VILLAGE,NANDAVARAM MANDAL, KURNOOL DISTRICT, ANDHRA PRADESH.

2. BOYA RAMUDU, S/O BOYA NARAYANA,AGED ABOUT 37 YEARS, OCC COOLIE, RIO KANAKAVEEDU VILLAGE,NANDAVARAM MANDAL, KURNOOL DISTRICT, ANDHRA PRADESH.

3. BOYA VENKATRAMUDU, S/O BOYA CHINNA PEDDAIAH,AGED ABOUT 49 YEARS, OCC COOLIE, RIO KANAKAVEEDU VILLAGE,NANDAVARAM MANDAL, KURNOOL DISTRICT, ANDHRA PRADESH.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PUBLIC PROSECUTOR,HIGH COURT OF ANDHRA PRADESH, AMARAVATI.THROUGH THE STATION HOUSE OFFICER, NANDAVARAM POLICE STATION,KURNOOL DISTRICT

...RESPONDENT

Counsel for the Petitioner(S):

1. ELURU SESHA MAHESH BABU

Counsel for the Respondent:

1. PUBLIC PROSECUTOR

The Court made the following:
ORDER:

The Criminal Revision Case has been filed under Sections 438 and 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), challenging the order dated 07.05.2024 passed in Crl.M.P. No.347 of 2024 in the unnumbered Criminal Appeal on the file of the learned Principal Sessions Judge, Kurnool, and consequently, condone the delay of 357 days in preferring the Criminal Appeal against the judgment of conviction and sentence dated 04.03.2020 passed in C.C. No.291 of 2016 by the Court of the learned Judicial Magistrate of First Class, Yemmiganur, and direct the learned Principal Sessions Judge, Kurnool, to entertain the Criminal Appeal.

2. Heard the learned Counsel for the Petitioners and the learned Assistant Public Prosecutor.

3. An appeal is nothing but a continuation of the original proceedings, and the right to prefer an appeal is a statutory right. While allowing the delay of 770 days in representing the Criminal Revision Case, costs of Rs.20,000/- were imposed, which have been paid. There is a delay of 357 days in preferring the Criminal Appeal. The Petitioners were convicted and sentenced to imprisonment for the offences punishable under Sections 324 and 506 of the Indian Penal Code, 1860 (for brevity, 'the I.P.C.'). The Petitioners have promptly paid the fine amount.

4. Having regard to the facts and circumstances of the case, this Court is of the view that the statutory right of the Petitioners to prefer an appeal should

not be frustrated merely on the ground of delay of 357 days. Accordingly, the delay of 357 days in preferring the Criminal Appeal is condoned, subject to the Petitioners paying costs of Rs.10,000/- each to P.Ws.1 and 2. The said costs shall be paid by the Petitioners to P.Ws.1 and 2 within a period of 15 days from the date of this order.

5. Subject to the above condition, the learned Sessions Judge, Kurnool, is directed to entertain the Criminal Appeal.

6. Accordingly, the Criminal Revision Case is disposed of. No order as to costs.

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

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Dr. Y. LAKSHMANA RAO, J

Dt: 19.11.2026
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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE No.1260 of 2026

Date:19.11.2026

KMS