Date of reserved for orders :
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Date of uploading :

APHC010330972026

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

WEDNESDAY, THE 1st DAY OF JULY 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 711/2026

Between:

1. ABBURI VARA PRASAD, S/O. PULLAYYA, AGED ABOUT 57 YEARS,R/O.FLAT NO.502, PARAAS PARADISE APARTMENTS, BLOCK NO.3,INDIRA GANDI NAGAR AREA, NEAR OLD DAIRY FARM, VISAKHAPATNAM.VISAKHAPATNAM DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

1. PADALA GIRIJA SATYANARAYANA REDDY, W/O. SATYANARAYANA REDDY, AGED ABOUT 57 YEARS,R/O. D.NO.49-34-1/42, AKKAYYAPALEM, VISAKHAPATNAMVISAKHAPATNAM DISTRICT, ANDHRA PRADESH.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR,HIGH COURT OF ANDHRA PRADESH, AMARAVATI.

...RESPONDENT(S):

Counsel for the Petitioner:

1. VENKAT SAILENDRA G

Counsel for the Respondent(S):

1. PUBLIC PROSECUTOR

The Court made the following:
ORDER:

The Criminal Revision Case has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for brevity, 'the Cr.P.C')/Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), seeking to set aside the condition of depositing 20% of the cheque amount imposed by the order dated 27.05.2026 in Crl.M.P.No.602 of 2026 in Crl.A.No.152 of 2026, on the file of the learned II Additional District & Sessions Judge, Visakhapatnam.

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

3. Issuance of notice to Respondent No.1 is not required, inasmuch as the impugned order relates to deposit of 20% of the cheque amount within a stipulated time.

4. The learned Counsel for the Petitioner submits that the Petitioner has been suffering from heart disease and is unable to comply with the condition imposed by the learned Appellate Court directing deposit of 20% of the cheque amount, as his financial condition is crippled.

5. In this regard, it is apposite to refer judgment of the Hon'ble Apex Court wherein at **Jamboo Bhandari v. M.P. SIDC Ltd**[1] at Paragraph Nos.7 to 10, it is held that the court under exceptional cases may grant suspension of

[1] (2023) 10 SCC 446

sentence without imposing the condition of deposit of 20% of the fine/compensation amount/cheque amount.

6. Considering the entire facts and circumstances of the case, the impugned order dated 27.05.2026 in Crl.M.P.No.602 of 2026 in Crl.A.No.152 of 2026 on the file of the learned II Additional District & Sessions Judge, Visakhapatnam, is slightly modified. The Petitioner is permitted to deposit 10% of the cheque amount within a period of four (04) weeks from the date of receipt of the copy of this order. On such deposit, Respondent No.1 is at liberty to withdraw the same upon furnishing sufficient surety to the satisfaction of the learned Trial Court.

7. In the result, the Criminal Revision Case is disposed of.

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

DR. Y. LAKSHMANA RAO, J

Date: 01.07.2026
PRA

Whether the order is :
Speaking Yes/No / Reasoned Yes/No
Reportable Yes/No / Non-Reportable Yes/No

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

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Date: 01.07.2026

PRA