



(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH

CRIMINAL PETITION NO: 1098 OF 2022

Between:

Kanamarlapudi Sravana Srinivasa, S/o Srinivasulu, Age 30 years, D.No.10/400, Flat No. 201 Santhapeta, Nellore city.

...Petitioner/A3

AND

1. The State of Andhra Pradesh, Rep by its Public Prosecutor, High Court Buildings, Amaravathi.
2. Sri. Kanamarlapudi Venkata Prasad, S/o Late Venkata Swami, Age 40 years, Door No.23-1173, Aravinda Nagar, Nellore.

...Respondent/Defacto Complainant

Whereas the Petitioner/Accused No.3 above named through her Advocate Smt Y L. Sivakalpana Reddy, presented this Criminal Petition filed under Section 482 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to call for the records pertaining to the C.C.No.3061 of 2020 on the file of the court of II Additional Judicial Magistrate of I Class, Nellore and quash the same.

And Whereas the High Court upon perusing the Criminal petition and memorandum of grounds filed herein and upon hearing the arguments of Smt Y.L. SIVA KALPANA REDDY, Advocate for the Petitioner, and of Public Prosecutor for the Respondent No.1, directed issue of notice to the Respondents herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Sri. Kanamarlapudi Venkata Prasad, S/o Late Venkata Swami, Door No.23-1173, Aravinda Nagar, Nellore.

are be and hereby directed to show cause either appearing in person or through an advocate, as to why in the circumstances set out in the Criminal petition and the grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted, within four (04) weeks, on which date the case stand posted for hearing.

IA NO: 1 OF 2022

Petition filed under Section 482 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal petition, the High Court may be pleased to stay of all further proceedings including the appearance of the petitioner in C.C.No.3061 of 2020 on the file of the Court of II Additional Judicial Magistrate of I Class, Nellore, pending disposal of CRLP No. 1098 of 2022, on the file of the High Court.

The Court made the following:
ORDER:

"Notice before admission.

The petitioner is permitted to take out personal notice on the 2nd respondent, through RPAD and file proof of service.

Learned counsel for the petitioner submitted that as per the complaint, A1 i.e., brother of the defacto complainant has obtained signatures from him towards surety to the chits, for an amount of Rs.50 lakhs and also taken some gold ornaments from him. Thus, there are no specific allegations against the petitioner herein and even according to the charge sheet there are no specific allegations against the petitioner herein to constitute the alleged offences and the petitioner only knows about the incident.

Considering the above submissions and on perusal of the record, there shall be stay of all further proceedings in C.C.No.3061 of 2020 on the file of the Court of II Additional Judicial Magistrate of First Class, Nellore with regard to the petitioner herein.

Post after four (04) weeks."

//TRUE COPY//

Sd/-T.Madhavi
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The II Additional Judicial Magistrate of First Class, Nellore, Nellore District.
2. The Station House Officer, Chinna Bazar Police Station, Sri Potti Sri Ramulu, Nellore District.
3. Sri. Kanamarlapudi Venkata Prasad, S/o Late Venkata Swami, Door No.23-1173, Aravinda Nagar, Nellore. (by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to Smt. Y. L. Siva Kalpana Reddy, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
6. One spare copy

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