



(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 2116 OF 2024

Between:

D Madhavi, W/o. D. Vishnuvardhan Reddy Hindu, aged about 40 years,
H.No.40/790-8 Dharmapeta, Kurnool

...Petitioner/Accused

AND

1. G Sailaja, W/o. Late G. Radha Krishnamurthy Hindu, aged 53 years,
R/o. H.No.40/87-D-3 Nehru Nagar, Kurnool

...Respondent/Complainant

2. State of Andhra Pradesh, Rep. by its Public Prosecutor High Court of
Andhra Pradesh at Amaravati

...Respondent/Respondent

WHEREAS the Petitioner/Accused above named through her Advocate SRI RAYAPROLU SRIKANTH presented this Petition 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 allow this petition by setting aside and quashing the order dt.31.01.2024 passed in C.C.No.1190/2018 on the file of II Addl. Judicial Magistrate of I Class, Kurnool ✓

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri RAYAPROLU SRIKANTH Advocate for the Petitioner, and of PUBLIC PROSECUTOR, for the Respondent No.2, directed issue of notice to the

Respondent No.1, herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

G Sailaja, W/o. Late G. Radha Krishnamurthy, aged 53 years, R/o. H.No.40/87-D-3 Nehru Nagar, Kurnool, Kurnool District

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 petition and the affidavit filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted, within three (03) weeks to which date the case stands posted for hearing. ✓

IA NO: 1 OF 2024

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in C.C.No.1190/2018 on the file of II Addl. Judicial Magistrate of I Class, Kurnool including appearance of the petitioner/accused, pending disposal of CRLP No. 2116 of 2024, on the file of the High Court.

The Court made the following: ORDER

Learned Assistant Public Prosecutor takes notice on behalf of 2nd Respondent and seeks time to get instructions.

Issue notice to Respondent No.1.

Learned counsel for the Petitioner is permitted to take out personal notice to Respondent No.1 by Registered Post with Acknowledgment Due and file proof of service within a period of three (03) weeks.

Heard the learned counsel for the petitioner.

A perusal of the record goes to show that, by an order dated 31.01.2024 in C.C.No.1190 of 2018, the learned II Additional Judicial Magistrate of First Class, Kurnool, passed an order on the ground that the mortgage deed is a compulsory registerable document and though it is not registered, it can be received in evidence for collateral purpose as envisaged under Section 49 of the Indian Registration Act, 1908.

Learned counsel appearing on behalf of the petitioner submits that the document is an unregistered document and the same has not been signed by the witness. The matter requires detailed examination.

In view of the said reasons, there shall be interim stay of all further proceedings in C.C.No.1190 of 2018 on the file of the II Additional Judicial Magistrate of First Class, Kurnool, for a period of four (04) weeks.

List the matter after three (03) weeks. -

//TRUE COPY//

SD/- V.SAVITHRI GOWRI
ASSISTANT REGISTRAR

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SECTION OFFICER

FOR RECORD

To,

1. The II Additional Judicial Magistrate of I Class, Kurnool, Kurnool District
2. G Sailaja, W/o. Late G. Radha Krishnamurthy, aged 53 years, R/o. H.No.40/87-D-3 Nehru Nagar, Kurnool, Kurnool District (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. RAYAPROLU SRIKANTH Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
5. One spare copy

PSR

HIGH COURT

SRK,J

DATED:01/04/2024

NOTE: LIST THE MATTER AFTER THREE (03) WEEKS.

NOTICE BEFORE ADMISSION

CRLP.No.2116 of 2024

INTERIM STAY

