

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE FOURTH DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 6653 OF 2023



Between:

1. D.Chalapathi, S/o D.ChinnaBayanna, Aged about 48 years, R/o Guttakindapalli Village, Molakalacheruvu Mandal, Chittoor District, Andhra Pradesh.
2. D.Ramanamma, W/o Chalapathi, Aged about 67 years, R/o Guttakindapalli Village, Molakalacheruvu Mandal, Chittoor District, Andhra Pradesh.
3. Swathi, D/o Chalapathi, Aged about 17 years, R/o Guttakindapalli Village, Molakalacheruvu Mandal, Chittoor District.

...Petitioner/Accused No.4 to 6

AND

1. The State of Andhra Pradesh, Rep. by it's Public Prosecutor, High Court of Andhra Pradesh at Amaravathi, Guntur District. Andhra Pradesh.

...Respondent No.1/Complainant

2. K. Divya, W/o Nagabhushanam, Aged about 27 years, R/o Satya Narayanapeta, Hindupur Town, Ananthapuramu District, Andhra Pradesh.

...Respondent No.2/Defacto Complainant

WHEREAS the Petitioners above named through their Advocate Sri S.ASHOK KUMAR presented this Petition under Section 482 of Cr.P.C is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to quash the proceedings in C.C.No.428 of 2020 on the file of the Court of Judicial Magistrate of First Class, Hindupur.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri S.Ashok Kumar, Advocate for the Petitioners and Public Prosecutor for the Respondent No.1, directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

K. Divya, W/o Nagabhushanam, R/o Satya Narayanapeta, Hindupur Town, Ananthapuramu District, Andhra Pradesh.

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 grounds filed therewith (copy enclosed) this CRLP should not be admitted, within six (6) weeks.

IA NO: 1 OF 2023

Petition under Section 482 of Cr.P.C is filed praying that in the circumstances stated in memorandum of grounds of criminal petition, the High Court may be pleased to

stay of all further proceedings, including the stay of appearance of the petitioner herein, in C.C.No.428 of 2020 on the file of the Court of Judicial Magistrate of First Class, Hindupur, pending disposal of CRLP No.6653 of 2023, on the file of the High Court.

The Court made the following:
ORDER:

“Learned Assistant Public Prosecutor takes notice for respondent No.1 and seeks time to get instructions in the matter.

Issue notice to respondent No.2.

Learned counsel for the petitioners is permitted to take out personal notice to respondent No.2 by RPAD and file proof of service before the Registry within a period of three (3) weeks.

On a perusal of the material on record goes to show that all the allegations are attributed against A1 to A3. The accusations against the petitioners herein/A4 to A6 are omnibus in nature that they altogether harassed the de facto complainant and no specific overt act has been attributed against them. It is represented that the petitioner No.3 herein/A6 is aged about 16 years as on the date of alleged registration of present crime.

In view of the aforesaid reasons, there shall be interim stay of all further proceedings including appearance of the petitioners herein/A4 to A6 only in CC No.428 of 2020 on the file of the learned Judicial Magistrate of First Class, Hindupur, for a period of eight (8) weeks.

List the matter after six (6) weeks.”

//TRUE COPY//

SD/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

SECTION OFFICER

For ASSISTANT REGISTRAR

To,

1. The Judicial Magistrate of First Class, Hindupur.
2. K. Divya, W/o Nagabhushanam, R/o Satya Narayanapeta, Hindupur Town, Ananthapuramu District, Andhra Pradesh (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to Sri. S.Ashok Kumar, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

MM

HIGH COURT

SRKJ

DATED:04/09/2023

NOTE: LIST THE MATTER AFTER SIX (6) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.6653 of 2023

INTERIM STAY

