

[3327]

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

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 7405 OF 2023



Between:

1. Shaik Khadar Mastan Bee @ Khadar Mastan, W/o. Ismail, 61 Years,
2. Shaik Ismail,, S/o. Hussain Patcha, 70 Years,
3. Shaik Hussain Patcha @Patcha,, S/o. Ismail, 39 Years,
4. Shaik Irfana,, W/o. Hussain Patcha, 32 Years, (Petitioners 1 to 4 are R/o. 12-838, Near Sai School, Samathanagar, 2nd line, Ongole, Prakasam District, A.P.-523001)

Petitioner/Accused No.2,3,5 and 7

AND

1. The State Of Andhra Pradesh, Rep by its Public Prosecutor, High Court of A P Amaravati.

Respondent

2. Shaik Mubin, W/o. Shaik Yasdan Basha, Aged about 34 Years, Muslim, H.No, 17-25-645, Islam Peta, 2nd Line, Near Water Tank, Ongole Town, Prakasam District..

Respondent/De-facto Complainant

WHEREAS the Petitioners above named through their Advocate Sri ROSEDAR S.R.A 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 call for the records relating to and in connection with C.C. No 570 of 2023 on the file of The Court of Honourable III Additional Munsif Magistrate, Ongole, Prakasam District, in Crime No. 49 of 2022 Dated 24-06-2022 of Ongole Women P.S., Prakasam District, for the alleged offences under Section 498-A IPC, 506 r/w 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act, to QUASH the same.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri ROSEDAR S.R.A Advocate for the Petitioners and of Public Prosecutor for 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:

Shaik Mubin, W/o. Shaik Yasdan Basha, Aged about 4 Years, Muslim, H.No, 17-25-645, Islam Peta, 2nd Line, Near Water Tank, Ongole Town, Prakasam 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 memorandum of grounds filed therewith(copy enclosed) this CRIMINAL PETITION should not be admitted within six weeks.

IA NO: 2 OF 2023

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 including the personal appearance in C.C. No 570 2023. on the file of The Court of Honourable III Additional Munsif Magistrate, Ongole. Prakasam District, in Crime No. 49 of 2022 Dated 24-06-2022 of Ongole Women P.S.. Prakasam District, for the alleged offences under Section 498-A IPC, 506 r/w 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act, pending disposal of CRLP No. 7405 of 2023, on the file of the High Court.

The Court made the following: ORDER

"Learned Assistant Public Prosecutor takes notice on behalf of 1st Respondent and seeks time to get instructions.

Issue notice to 2nd respondent.

Learned counsel for the petitioners is permitted to take out personal notice to Respondent No.2 by Registered Post with Acknowledgment Due and file proof of service within a period of three (3) weeks.

Presence of the petitioners i.e. A2, A3, A5 and A7 before the trial Court is dispensed with, except on those dates when the learned Magistrate feels that the presence of petitioners i.e. A2, A3, A5 and A7 is necessary.

Post along with CrI.P.No.6149 of 2023 after six (6) weeks."

//TRUE COPY//

**Sd/- M. SRINIVAS
ASSTANT REGISTRAR
SECTION OFFICER**

To,

1. The III Additional Munsif Magistrate, Ongole, Prakasam District.
2. The SHO, Ongole Women P.S., Prakasam District.
3. Shaik Mubin, W/o. Shaik Yasdan Basha, Aged about 4 Years, Muslim, H.No, 17-25-645, Islam Peta, 2nd Line, Near Water Tank, Ongole Town, Prakasam District.. (by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI. ROSEDAR S.R.A Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of A.P.[OUT]
6. One spare copy.

psk

HIGH COURT

SRKJ

DATED:26/09/2023

POST ALONG WITH CRLP No. 6149 of 2023 after SIX WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.7405 of 2023

DIRECTION

