

[3206]

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

WEDNESDAY, THE FOURTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO
CRIMINAL PETITION NO: 79 OF 2023**



Between:

1. Tolapu Sateesh Samrat, S/o.Manmadha Rao Aged 40 years, Occ Software N/o.P.V.R.Puram Village of Veeraghattam Mandal, PVP Mandyam District R/o.1st Lane, Eswaranarayana Colony, Rajam Town Vizianagaram District, Andhra Pradesh
2. Tolapu Manmadha Rao, S/o.Late T.Sriramulu Aged 67 years, Occ Retd.Govt.Teacher N/o.P.V.R.Puram Village of Veeraghattam Mandal PVP Manyam District R/o.1st Lane, Eswaranarayana Colony Rajam Town, Vizianagaram District, Andhra Pradesh
3. Tolapu Anasuyamma, W/o.T.Manmadha Rao Aged 61 years, N/o.P.V.R.Puram Village of Veeraghattam Mandal, PVP Mandyam District R/o.1st Lane, Eswaranarayana Colony, Rajam Town Vizianagaram District, Andhra Pradesh
4. Meesala Bhargava Sri, W/o.Venkati Babu Aged 42 years, Occ Housewife, N/o.Nadimivalasa Village of G.Sigadam Mandal, Srikakulam District R/o.Near Post Office, Rajam Town Vizianagaram District, AP
5. Meesala Venkati Babu, S/o.Taviti Naidu Aged 46 years, N/o.Nadimivalasa Village of G.Sigadam Mandal, Srikakulam District R/o.Near Post Office, Rajam Town Vizianagaram District, AP
6. Bevara Karuna Sri, W/o.Govinda Rao Aged 38 years, Occ Housewife, N/o.Rushingi Village of Vangara Mandal, Vizianagaram District R/o.4th Lane, Maruthinagar Dolapeta, Rajam, Vizianagaram District, AP
7. Bevara Govinda Rao, S/o.Late Appalaswami Aged 43 years, R/o.Rushingi Village of Vangara Mandal, Vizianagaram District, R/o.4th Lane, Maruthinagar, Dolapeta Rajam, Vizianagaram District, AP

Petitioners/Accused

AND

1. The State of Andhra Pradesh, Station House Officer Rajam Police Station Rajam, Vizianagaram District Rep.by Public Prosecutor High Court, Amaravathi
2. Tolapu Pavani, W/o.Sateesh Samrat Aged 39 years, R/o.1st Lane, Eswaranarayana Colony, Rajam Town, Vizianagaram District, AP

Respondents

WHEREAS the Petitioners/Accused above named through their Advocate SRI TURAGA SAI SURYA 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 in CC No.383/2022 Dt.17-03-2022 on the file of the Court of the Judicial

Magistrate of First Class, Rajam, Vizianagaram District, Andhra Pradesh and quash the same as the same is illegal and abuse of process of law.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri TURAGA SAI SURYA Advocate for the Petitioners, 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:

Tolapu Pavani, W/o.Sateesh Samrat Aged 39 years, R/o.1st Lane, Eswaranarayana Colony Rajam Town Vizianagaram District, AP

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 on or before 16.02.2023, on which date the case stands posted for hearing.

IA NO: 1 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 appearance of the petitioners/Accused in CC No.383/2022 Dt.17-03-2022 on the file of the Court of the Judicial Magistrate of First Class, Rajam, Vizianagaram District, Andhra Pradesh, pending disposal of CRLP No. 79 of 2023, on the file of the High Court.

The Court made the following order :

“ The learned Public Prosecutor has taken notice for respondent No.1 and requests time to obtain instructions.

Issue notice to respondent No.2.

The 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 by the next date of hearing.

Post on 16.02.2023.

The petitioners are Accused Nos.1 to 7 in C.C.No.383 of 2022 on the file of the Judicial Magistrate of First Class, Rajam,Vizianagaram District, for the offences under Sections 498-A r/w Section 34 of Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act, 1961.

The petitioners contend that the allegations made against them in the charge sheet are general and omnibus allegations without any details as to specifics and as such, no case can be made against them.

A perusal of the charge sheet does show that there are no specific allegations against the petitioners except general and omnibus allegations of harassment.

In the circumstances, the presence of petitioner Nos. 2 to 7 shall be dispensed with for the trial, till further orders in C.C.No.383 of 2022 on the file of the Judicial Magistrate of First Class, Rajam, Vizianagaram District, except when they are required for examination."

SD/-G.S.REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Judicial Magistrate of First Class, Rajam, Vizianagaram District, Andhra Pradesh
2. Station House Officer Rajam Police Station Rajam, Vizianagaram District
3. Tolapu Pavani, W/o.Sateesh Samrat Aged 39 years, R/o.1st Lane, Eswaranarayana Colony Rajam Town Vizianagaram District, AP
4. (by RPAD- along with a copy of petition and memorandum of grounds)
5. One CC to SRI. TURAGA SAI SURYA Advocate [OPUC]
6. Two CCs to Public Prosecutor, High Court of AP [OUT]
7. One spare copy

HIGH COURT

RRRJ

DATED:04/01/2023

POST ON 16.02.2023

NOTICE BEFORE ADMISSION

CRLP.No.79 of 2023

DIRECTION

