

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE FIFTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE



:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO
CRIMINAL PETITION NO: 152 OF 2023

Between:

1. Kanumuri Rajyam @ Rajamma, W/o. Peeraiah, Age. 53 years, Occ. House Wife, R/o. Pattepuram Village, Santhamaguluru Mandal, Prakasam District.
2. Kanumuri Peeraiah, S/o. Venkaiah, Age. 55 years, R/o. Pattepuram Village, Santhamaguluru Mandal, Prakasam District.

Petitioners/Accused 2 & 3

AND

1. The State of Andhra Pradesh, Rep. by Public Prosecutor, High Court, Amaravathi.
2. Kanukmuri Vijayalakshmi, W/o. Siva Rama Krishna, Age. 30 years about, Occ. House wife, R/o. D.No. 19-13/3-20, 3rd line, Old Raja Rajeswaripeta, Vijayawada, Krishna District.

Respondent/De-facto Complainant

WHEREAS the Petitioners/Accused above named through their Advocate Sri Ailaurapu Yellamandaiah presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to quash the proceeding in CC No. 7835 of 2019 on the file of the Hon'ble Court of II Additional Chief Metro Politian Magistrate-cum-Mahila Court Magistrate, Vijayawada filed against the Petitioners.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri Ailaurapu Yellamandaiah Advocate for the Petitioners and of 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:

Smt. Kanukmuri Vijayalakshmi, W/o. Siva Rama Krishna, Age. 30 years about, Occ. House wife, R/o. D.No. 19-13/3-20, 3rd line, Old Raja Rajeswaripeta, Vijayawada, Krishna 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, on or before 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 grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in CC.No. 7835 of 2019, on the file of the II Additional

Chief Metro Politian Magistrate-cum-Mahila Court Magistrate, Vijayawada, pending disposal of CRLP No. 152 of 2023, on the file of the High Court.

The Court made the following:

ORDER:

“Learned Public Prosecutor has taken notice on the 1st respondent and seeks time to obtain instructions.

Issue notice to the 2nd respondent.

The learned counsel for the petitioners is permitted to take out personal notice to the 2nd respondent by RPAD and file proof of service by the next date of hearing.

Post on 10.02.2023.

The petitioners are accused in C.C.No.7835 of 2019 on the file of the II Additional Chief Metropolitan Magistrate-cum-Mahila Court Magistrate at Vijayawada, for the offence under Section 498-A of IPC.

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 the petitioners shall be dispensed with, till further orders in C.C.No.7835 of 2019 on the file of the II Additional Chief Metropolitan Magistrate-cum-Mahila Court Magistrate at Vijayawada, except when their presence is required for examination.”

Sd/- G. HELA NAIDU
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The II Additional Chief Metro Politian Magistrate-cum-Mahila Court Magistrate, Vijayawada
2. Smt. Kanukmuri Vijayalakshmi, W/o. Siva Rama Krishna, Age. 30 years about, Occ. House wife, R/o. D.No. 19-13/3-20, 3rd line, Old Raja Rajeswaripeta, Vijayawada, Krishna District. (by RPAD - along with a copy of petition and memorandum of grounds)

3. One CC to SRI. Ailaurapu Yellamandaiah Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of A.P. [OUT]
5. One spare copy

npc

HIGH COURT

RRRJ

DATED:05/01/2023

POST ON 10.02.2023.

NOTICE BEFORE ADMISSION

CRLP.No.152 of 2023

