

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



FRIDAY, THE SIXTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

CRIMINAL PETITION NO: 194 OF 2023

Between:

1. Syed Sadathulla, S/o. late. Syed Mohiaddin, Aged about 70 years, R/o. D.No. 360, Near Uqba Maszid Shadiq layout, Thanisandra Main Road, Dr. S.R.K. Nagar Post, Aswrtha Nagar, Bangalore City, Karnataka State.
2. Syed Imdad, S/o. Syed Sadathulla, Aged about 37 years, R/o. 37/A, 4th Cross, Thanisandra Main Road, Dr. S.R.K. Nagar Post, Aswrtha Nagar, Bangalore City, Karnataka State
3. S. Thabussum, W/o. D.Basha, Aged about 47 years, R/o. 37/A, 4th Cross, Thanisandra Main Road, Dr. S.R.K. Nagar Post, Aswrtha Nagar, Bangalore City, Karnataka State.
4. D.Basha, S/o. D.M. Ismail Sab, Aged about 56 years, R/o. 135, 4th Cross, Shadiq layout, Thanisandra Main Road, Bangalore Urban City, Karnataka State.

...Petitioners/Accused Nos.3 to 6

AND

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

...Respondent

2. Smt. Shaheen Khanum, W/o. Syed Ubedulla, Aged about 37 years, Occ. House Wife, R/o. D.No. 1-2-314, Muthakarnrna Veedhi, Abadpet, Hindupur Town, Anantapuramu District.

...Respondent/Defacto-Complainant

WHEREAS the Petitioners above named through their Advocate M/s.MD Saleem presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in Criminal Petition, the High Court may be pleased to call for the records pertaining to and in connection with in CC No. 562 of 2014 on the file of the court of the Additional Judicial First Class Magistrate Hindupur, Anantapuramu District and quash the same in so far as petitioners are concerned.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of M/s. MD Saleem, 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:

Smt. Shaheen Khanum, W/o. Syed Ubedulla, R/o. D.No. 1-2-314, Muthakarnrna Veedhi, Abadpet, Hindupur Town, Anantapuramu 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, on or before 15.02.2023, on which date the case stands posted for hearing.

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 Criminal Petition, the High Court may be pleased to stay all further proceedings including appearance of the petitioners in CC No. 562 of 2014 on the file of the court of the Additional Judicial First Class Magistrate Hindupur, Anantapuramu District, pending disposal of CRLP No.194 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 15.02.2023.

The petitioners are accused in C.C.No.562 of 2014 on the file of the Additional Judicial First-Class Magistrate Hindupur, Anantapuramu District, for the offence under Section 498-A & 506 r/w. 34 of Indian Penal Code and Sections 3 & 4 of Dowry Prohibition Act.

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.562 of 2014 on the file of the Additional Judicial First-Class Magistrate Hindupur, Anantapuramu District, except when their presence is required for examination."

//TRUE COPY//

For

**Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER**

To,

1. The Additional Judicial First Class Magistrate Hindupur, Anantapuramu District.
2. Smt. Shaheen Khanum, W/o. Syed Ubedulla, R/o. D.No. 1-2-314, Muthakarnrna Veedhi, Abadpet, Hindupur Town, Anantapuramu District. **(by RPAD-** along with a copy of petition and memorandum of grounds)
3. One CC to M/s. MD Saleem, Advocate [OPUC]
4. Two CC to Public Prosecutor, High Court of AP [OUT]
5. One spare copy.

MSB

HIGH COURT

RRR,J

DATED:06/01/2023

ORDER

POST ON 15.02.2023

NOTICE BEFORE ADMISSION

CRLP.No.194 of 2023

DIRECTION

