

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

WEDNESDAY, THE EIGHTEENTH DAY OF JANUARY

TWO THOUSAND AND TWENTY THREE

:PRESENT:
THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

CRIMINAL PETITION NO: 255 OF 2023



Between:

Bobbili Prakash, S/o (late) Vijay Kumar, Aged about 34 years, R/o D.No.2-76, Ballemvari Veedhi, Hussain Steet, Ramavarappadu, Vijayawada, Krishna District.

Petitioner/Accused No.4

AND

1. The State of Andhra Pradesh, Rep. by SHO, Women Police Station, Eluru, through Public Prosecutor, High Court of Andhra Pradesh, Amaravati.

... Respondent/ Complainant

2. Bobbili Vijayambica,, W/o Kishore Kumar, Aged about 34 years, R/o MRC Colony, Tangellamudi, Eluru, West Godavari District.

Respondent/Defacto- Complainant

WHEREAS the Petitioner above named through his Advocate Sri Manubrolu Srinivasa Rao presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to call for the records in the impugned C.C.No.352/2020 on the file of Hon'ble II Additional Judicial First Class Magistrate at Eluru and quash the same in so far as the Petitioner/Accused No.4 .

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri MANUBROLU SRINIVASA RAO Advocate for the Petitioner 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:

Bobbili Vijayambica,, W/o Kishore Kumar, Aged about 34 years, R/o MRC Colony, Tangellamudi, Eluru, West Godavari 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 23.02.2023, on which date the case stands posted for hearing.

IA NO: 1 OF 2023

Petition under Section 482 of Cr.P.C is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to STAY all further proceedings in CC 352/2020 on the file of hon'ble II Addl. Judicial First Class Magistrate at Eluru, including appearance of the Petitioner/Accused No.4 pending disposal of CRLP No. 255 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 petitioner 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 23.02.2023.

The petitioner is accused No.4 in C.C.No.352 of 2020 on the file of the II Additional Judicial First-Class Magistrate at Eluru, for the offence under Section 498-A & 344 r/w. 34 of Indian Penal Code and Sections 3 & 4 of Dowry Prohibition Act, 1961.

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

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

In the circumstances, the presence of the petitioner shall be dispensed with, till further orders in C.C.No.352 of 2020 on the file of the II Additional Judicial First-Class Magistrate at Eluru, except when his presence is required for examination."

SD/- B.CHITTI JOSEPH

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

//TRUE COPY//

To,

1. The II Additional Judicial First-Class Magistrate at Eluru .
2. Bobbili Vijayambica,, W/o Kishore Kumar, Aged about 34 years, R/o MRC Colony, Tangellamudi, Eluru, West Godavari District.(Addressess 1 to 3 by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. MANUBROLU SRINIVASA RAO Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
5. One spare copy.

psk

HIGH COURT

RRRJ

DATED:18/01/2023

POST ON 23.02.2023

NOTICE BEFORE ADMISSION

CRLP.No.255 of 2023

DIRECTION

