

[3239]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY ,THE SIXTH DAY OF AUGUST

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K SURESH REDDY

CRIMINAL PETITION NOS: 6501 OF 2014 & 536 OF 2019



CRIMINAL PETITION NO: 6501 OF 2014:

Between:

1. Bathina Sathibabu, S/o. Nookaraju, aged about 35 years, Proclainer Operator, Gudithuru Village, Makavaramapalem Mandal.
2. Guthi Bhavani @ Bade Bhavani, D/o. Apparao, aged about 30 years, Coolie Kondavaripeta Tuni Village
3. Sayed Butchisai, S/o. Moulana, aged about 24 years, Chinapeerla Panjaveedhi Payakaraopeta Village .
4. Sayed Vashid, S/o.Kasim, aged about 25 years, China Peerla Panjaveedhi Payakaraopeta
5. Vundrasu Chinna, S/o. Nookaraju, aged about 26 years, Coolie Peda Peerla Oanja Veedhi Payakaraopeta Village.
6. Kundrapu Deva, S/o. Chinna, aged about 30 years, Coolie Kondvaripeta Tuni Village
7. Thadipe Ramana, S/o. Demullu, aged about 28 years, Kondavaripeta Tuni Village
8. Kaparapu Apparao, S/o. Kondayya, aged about 60 years, Kondavaripeta Tuni Village
9. Bodapati Kiran Kimar, S/o. Chandra Rao, aged about 26 years, Kondavaripeta Tuni Village.
10. Kurumalla Prasad, S/o. Nageswara Rao, aged about 25 years, Coolie Settibalija Veedhi Payakaraopeta Village.

11. Nama Bujji, S/o. Rajulu, aged about 36 years, Coolie
Kondavaripeta Tuni Village E.G.District.
12. Gudala Simhachalam, S/o. Ramulu, aged about 33 years, Coolie,
R/o. Kondavaripeta Tuni Village E.G.District.
13. Kanchumani Rajesh, S/o. Apparao, aged about 25 years, Coolie
Kondavaripeta Tuni Village E.G.District.
14. Enapakurthi Durga Prasad, S/o. Srinivasa Rao, aged about 22
years, Kondavaripeta Tuni Village E.G.District
15. Annamreddy Swamynaidu, S/o. Swamynaidu, aged about 38
years, Coolie Ramalayam Surapuraju Peta Kontananduru E.G.District.

...Petitioners/Accused No.3 to 17

AND

1. The State of A.P., Rep. by Public Prosecutor High Court of Andhra
Pradesh Hyderabad
2. Bathula Jaya Sambasivarao, S/o. Potharaju Main Road Payakaraopeta

...Respondents/Defacto Complainant

Petition under Section 482 of Cr.P.C is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to allow the Criminal Petition and to quash CC No.42 of 2014 on the file of the Addl. Judicial First Class Magistrate at Yellamanchili, Visakhapatnam against the petitioners / accused No.3 to 17.

IA NO: 1 OF 2014(CRLP.M.P.No.6002 of 2014):

Petition under Section 482 of Cr.P.C is filed praying that in the circumstances stated in memorandum of grounds of criminal petition, the High Court may be pleased to stay all further proceedings including appearance of the petitioners C.C.No.42 of 2014 on the file of the Addl. Judicial First Class Magistrate at Yellamanchili, Visakhapatnam, pending disposal of CRLP.No.6501 of 2014, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds of criminal petition and the order of the High Court order dated 18.06.2014 , 27.12.2014 & 07.07.2023 made herein and upon hearing the arguments of Sri A.S.C.Bose, Advocate for the Petitioners and Public Prosecutor for the Respondent No.1 and M/s Challa Ajay Kumar, Advocate for the Respondent No.2, the Court made the following;

CRIMINAL PETITION NO: 536 OF 2019:

Between:

1. Bathula Jaya Sambasiva Rao, S/o Late Pothuraju, aged 56 years, Occ: Business, Near Tirupatayya Shopping Complex, Main Road, Payakaraopeta village & Mandal, Visakhapatnam District.
2. Bathula Surya Mahalaxmi, W/o Jai Sambasiva Rao, Aged 50 years, Housewife, Near Tirupatayya Shopping Complex, Main Road, Payakaraopeta village & Mandal, Visakhapatnam.

Petitioner/Accused 1 & 2

AND

1. The State of A.P., Rep. By its Public Prosecutor, High Court of A.P., Amaravati Through S.H.O., Payakaraopeta Police Station, Visakhapatnam District.
2. Mamidi Venkata Rao, S/o Venkataramana, Main Road, Payakaraopeta village and Mandal, Visakhapatnam District.

Respondent/Complainant

Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the memo of grounds filed herein, the High Court may be pleased to

quash the proceedings and taking cognizance in CC. No. 417 of 2014 on the file of the Addl. Judicial First Class Magistrate, Yellamanchil, Payakaraopeta, Visakhapatnam.

IA NO: 2 OF 2019:

Petition under Section 482 of Cr.PC, praying that in the circumstances stated in the memo of grounds filed in CrI.P., the High Court may be pleased to stay all further proceeding including appearance in CC.No.417/2014 on the file of the Addl. Judicial First Class Magistrate, Yellamanchili, Payakaraopeta, Visakhapatnam, pending disposal of CRLP 536 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and memo of grounds filed herein, and orders of High Court dated 06-02-2019, 23-07-2019, 16-09-2019, 20.01.2020 , 01.10.2020 & 06.10.2023 made herein and upon hearing the arguments of Sri Sravan Kumar Naidana, Advocate for the Petitioners, and of Public Prosecutor for Respondent No.1 and of Sri A.S.C. BOSE, Advocate for the respondent No.2 the Court made the following.

ORDER

“Today when the matter is taken up for hearing, learned counsels appearing on either side state that they will explore the possibilities of compromise as the incident took place in the year 2013, and requested two weeks time.

At their request, Post after two weeks.

Interim order, granted earlier, is extended till then.”

//TRUE COPY//

For ,

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Addl. Judicial First Class Magistrate at Yellamanchili,
Visakhapatnam
2. One CC to Sri. A.S.C.Bose, Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of AP [OUT]
4. One CC to Sri. Challa Ajay Kumar, Advocate [OPUC]
5. One CC to Sri. Sravan Kumar Naidana Advocate [OPUC]
6. One spare copy

HIGH COURT

KSR,J

DATED:06/08/2024

POST AFTER TWO WEEKS

ORDER

CRIMINAL PETITION NOS: 6501 OF 2014 & 536 OF 2019

INTERIM ORDER EXTENDED

