

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



THURSDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 1066 OF 2023

Between:

1. Tavva Manoj Kumar, S/o Subrahmanyam, Hindu, Aged about 26 years, R/O 6-3, Ayodhyanagar, Chirala Mandal, Prakasam District, AP. (A4)
2. Tavva Venkata Sai Chand, S/o Subrahmanyam, Hindu, Aged about 27 years, R/O 6-3, Ayodhyanagar, Chirala Mandal, Prakasam District, AP. (A5)
3. Tanneru AnkammaRaju, S/O Srinu, Hindu, Aged about 31 years, R/O. D. No. 5-207, Lakshmipuram, Vetapalem Mandal, Prakasam District, AP. (A6)
4. Challa Venkateswarlu, S/O. NageswaraRao, Hindu, Aged about 28 years, R/O. Amodagiripatnam, Desaipet, Vetapalem Mandal, Prakasam District, AP. (A7)
5. Nasika Anand, S/o Siva Brahmam, Hindu, Aged about 25 Years, R/O. Jandrapeta, Chirala Mandal, Prakasam District, AP(A8)

...Petitioners/Accused

AND

1. The State of Andhra Pradesh, Rep by their Public Prosecutor, AP High Court at Amaravathi.
2. The Sub Inspector of Police, The SHO, Chirala-1 Town Police Station, Chirala, Prakasam District.
3. Kallu Mounika, W/O Krishna Prasad, Aged about 26 years, Caste Yerukula, R/O Gumastala Colony, Devangapuri Village, Chirala Mandal, Prakasam District.

...Respondents/Complainant

WHEREAS the Petitioners above named through their Advocate Sri Y Koteswara Rao presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in Criminal Petition, the High Court may be pleased to pass an order quashing the Charge Sheet in SC. No. 50 of 2022 on the file of the VII Additional District & Sessions Judge cum Special Court for trial of cases Under SC, ST (POA) Act, Ongole. Corresponding to Crime No. 352 of 2019 dated 06-11-2019 U/Ss 417, 418, 420, 463, 465, 466 467, 468 r/w 34 IPC, 3 (1) (r), 3(1, (s), 3 (2) (va) SC ST POA Act r/w 156 (3) Cr.P.C of Chirala 1 Town PS.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri Y Koteswara Rao, Advocate for the Petitioners and of Public Prosecutor for Respondent Nos.1 & 2, directed issue of notice to the Respondent No.3 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

1. The Sub Inspector of Police, The SHO, Chirala-1 Town Police Station, Chirala, Prakasam District.
2. Kallu Mounika, W/O Krishna Prasad, R/O Gumastala Colony, Devangapuri Village, Chirala Mandal, Prakasam 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, within six (6) weeks.

IA NO: 2 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the grounds filed in Criminal Petition, the High Court may be pleased to pass an interim order staying all further proceedings in the trial of the case including the appearance of the petitioners, accused Nos 4 to 8 in the case in SC SPL No. 50/2022 on the file of the court of VII Additional District & Sessions Judge-cum-Special Court for Trial of the Cases corresponding to Cr. No .352 of 2019 U/Ss 417, 418, 420, 463, 465, 466, 467, 468 r/w 34 IPC, 3 (1) (r), 3(1) (s), 3 (2) (va) SC ST POA Act r/w 156 (3) Cr.P.C of Chirala 1 Town Police Station, pending disposal of CRLP No.1066 of 2023, on the file of the High Court.

**The Court made the following
ORDER:**

**“Learned Special Assistant Public Prosecutor takes notice on behalf of
1st Respondent and seeks time to get instructions.**

Issue notice to respondent Nos.2 & 3.

**Learned counsel for the petitioner is permitted to take out personal notice
to Respondent Nos.2 & 3 by Registered Post with Acknowledgment Due and file
proof of service within a period of three (3) weeks.**

**On the date of incident i.e., on 04.12.2013, the Accused Nos.1 to 3 are
alleged to go into the house of de-facto complainant and demanded an amount
of Rs.10,00,000/-, with a view to settle the disputes between the accused and the
de-facto complainant. When the de-facto complainant refused to pay the said
amount, the accused Nos.1 to 3 are alleged to abused them on the by their caste.
It is alleged that the accused abused the de-facto complainant for non-payment
of the money to them. Except the said accusation, there is no other material to
connect the petitioner to the Crime at this stage.**

**In view of the aforesaid circumstances, there shall be an interim stay of
all further proceedings in respect of the petitioners/Accused Nos. 4 to 8, for a
period of eight (8) weeks.**

Post after six (6) weeks.”

//TRUE COPY//

**Sd/- K. TATA RAO
DEPUTY REGISTRAR

SECTION OFFICER**

To,

1. The VII Additional District & Sessions Judge cum Special Court for trial of cases Under SC, ST (POA Act, Ongole, Prakasam District.
2. The Station House Officer, Chirala-1 Town Police Station, Chirala, Prakasam District.
3. Kallu Mounika, W/O Krishna Prasad, R/O Gumastala Colony, Devangapuri Village, Chirala Mandal, Prakasam District.
4. The Sub Inspector of Police, The SHO, Chirala-1 Town Police Station, Chirala, Prakasam District. (3 & 4 by RPAD- along with a copy of petition and memorandum of grounds)
5. One CC to Sri. Y Koteswara Rao, Advocate [OPUC]
6. Two CCs to Public Prosecutor, High Court of AP [OUT]
7. One spare copy.

MSB

HIGH COURT

SRK,J

DATED:13/07/2023

ORDER

POST AFTER SIX (6) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.1066 of 2023

INTERIM STAY

