

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE SRI JUSTICE HARINATH.N
CRIMINAL PETITION NO: 2764 OF 2025



Between:

1. Tetali Rama Reddy, S/o Sambasiva Reddy, Aged about 54 years, R/o D.No.49-36-17/9, Devi Narayana Nilayam, Flat No.9, NGGNOS Colony, Near Municipal School, Akkayyapalem, Visakhapatnam.
2. Sabbella Venkata Reddy @ Konda, S/o Satyanarayana Reddy Aged about 60 years, R/o D.No. 10-119, Thota Ramalayam Veedhi, Mahendrawada Village, Anaparthi Mandal, East Godavari District.
3. Sabbella Veera Venkata Satyanarayana Reddy, S/o Rama Krishna Reddy, aged about 42 years, R/o D.No.10-119, Mahendrawada Village, Anaparthi Mandal, East Godavari District.
4. Pothuraju Venkanna, S/o Tarakam, Aged about 51 years, R/o Koppavaram Village Anaparthi Mandal, East Godavari District.

...Petitioner/Accused No.1 & 4

AND

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

... Respondent No.1

2. Karri Sridhar Reddy, S/o Lsara Reddy, Aged about 41 years, Panchayat Secretary Mahendrawada Gram Panchayat, Anaparthi Mandal, East Godavari District.

...Complainant / Respondent No.2

WHEREAS the Petitioners above named through their Advocate T V JAGGI REDDY presented this Petition under Section 528 of BNSS/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 relating to C.C No.484 of 2024, on the file of the Judicial First Class Magistrate, Anaparthi, East Godavari District and quash the same.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri T V JAGGI REDDY Advocate for the Petitioners, and of PUBLIC PROSECUTOR for the Respondent No.1, directed issue of notice to the 2nd respondent herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Karri Sridhar Reddy, S/o Lsara Reddy, Aged about 41 years, Panchayat Secretary Mahendrawada Gram Panchayat, Anaparthi Mandal, East 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 grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted, on or before 21.04.2025, on which date the case stands posted for hearing

IA NO: 1 OF 2025

Petition under Section 528 of BNSS/482 OF Cr.P.C. is filed praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to stay all further proceedings including the appearance of the petitioners/A-1 to 4 in C.C No.484 of 2024, on the file of the Judicial First Class Magistrate, Anaparthi, East Godavari District, pending disposal of CRLP No. 2764 of 2025, on the file of the High Court.

The Court made the following: ORDER

“1. Heard the learned counsel for the petitioners.

2. The learned counsel for the petitioners submits that the petitioners were arraigned as A.1 to A.4 in C.C. No.484 of 2024 on the file of the Judicial First Class Magistrate, Anaparthi, East Godavari

District, on the strength of the complaint filed by the Secretary of Mahendrawada Gram Panchayat alleging that 32 coconut trees in Sy.No.210/8 and 211/7 were cut by the petitioners and that the coconut trees belong to the panchayat.

3. The learned counsel further submits that the patta was granted in favour of the petitioner's grandfather in the year 1948, and they have been in continuous possession and enjoyment of the land. It is submitted that the petitioner's grandfather filed W.P.No.5225 of 2016 before this Court, challenging the unauthorized interference by the revenue officials with the petitioners' possession of 115 coconut trees in the said survey number. This Court granted an interim order as prayed for, and the writ petition is still pending.

4. It is further submitted that, when there is an order directing the Panchayat Secretary of Mahendrawada Gram Panchayat not to interfere with the possession and enjoyment of the land and trees, the 2nd respondent could not have filed the complaint against the petitioners.

5. Considering the submissions of the learned counsel for the petitioner, there shall be stay of all further proceedings in C.C. No.484 of 2024 on the file of the Judicial First Class Magistrate, Anaparthi, East Godavari.

6. Issue notice to the 2nd respondent.

7. The learned counsel for the petitioners is permitted to take out personal notice to the 2nd respondent by registered post with acknowledgment due and file proof of service in the registry.

8. Post on 21.04.2025."

Sd/- B.CHITTI JOSEPH
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Judicial First Class Magistrate, Anaparthi, East Godavari District.

2. Karri Sridhar Reddy, S/o Lsara Reddy, Aged about 41 years, Panchayat Secretary Mahendrawada Gram Panchayat, Anaparthi Mandal, East Godavari District. **(by RPAD)**
3. One CC to SRI. T V JAGGI REDDY, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh. [OUT]
5. **One spare copy**

KN

HIGH COURT

HN,J

DATED:17/03/2025

Post on 21.04.2025."

NOTICE BEFORE ADMISSION

CRLP.No.2764 of 2025

STAY

