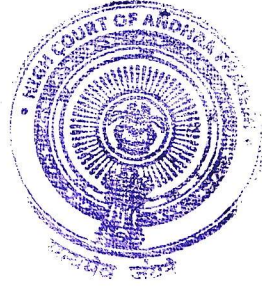


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY, THE EIGHTEENTH DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO
CRIMINAL PETITION NO: 2417 OF 2022



Between:

D. Madhulatha, D/o Munikrishnama Naidu, Age- 36 years, Occ- Housewife,
R/o Flat No. 332, Radhasyam Apartment, Mangalam, Tirupati, Chittoor
District

...Petitioner/Accused No.2

AND

1. Mogarala Nirmala, w/o. Durgam Subramanyam, Age- 48 years, Occ-
Business, R/o. Flat No. 302, 3rd Floor, BMR Gardens, Ganganapalli,
Chittoor. N/o. Brahmanapalli Chavatagunta, Vedhurukuppam Mandal,
Chittoor District.
2. The State of Andhra Pradesh, rep by its Public Prosecutor, High Court
of Andhra Pradesh at Amaravati.

...Respondents

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 quash the proceedings against the petitioner/accused No.
2 in Spl.S.C.No. 59/2018 on the file of the I Additional District and Sessions
Judge, Chittoor which arose out of Cr.No. 38/2018 of Woman Police Station,
Chittoor;

IA NO: 1 OF 2022

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 the further proceedings against the
petitioner/accused No. 2 in Spl.S.C.No. 59/2018 on the file of the I Additional
District and Sessions Judge, Chittoor which arose out of Cr.No. 38/2018 of

Woman Police Station, Chittoor, Pending disposal of CRLP 2417 of 2022, on, the file of the High Court.

The petition, coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri.D PURNACHANDRA REDDY Advocate for the Petitioner, Public Prosecutor for R1, Sri.CH OMERNATHAN Advocate for the Respondent No.2 and the Court made the following.

ORDER:

Heard the learned counsel for the petitioner, learned counsel for the 2nd respondent and the learned Assistant Public Prosecutor.

It is not in dispute that Accused No.1, who is the husband of the 1st respondent, died. Initially, the 1st respondent lodged a complaint against five persons arraying them as accused. However, after thorough investigation, the police deleted the names of Accused Nos.3 to 5 and laid a charge sheet against Accused Nos.1 and 2. The petitioner herein is Accused No.2.

Accused No.1 and the 1st respondent are husband and wife. The allegation against the petitioner is that accused No.1 developed an illicit intimacy with her and set up a separate residence. It is not the case of the 1st respondent that Accused No.1 married the petitioner. The only allegation is that Accused No.1 maintained an illicit relationship with the petitioner.

Accordingly to the case of the 1st respondent, the allegation amounts to adultery. In cases of adultery, the aggrieved person would ordinarily be the spouse of the woman with whom another person is alleged to have maintained an illicit relationship.

Considering the entire gamut of the litigation, there shall be stay of all further proceedings in Spl.S.C.No.59 of 2018 on the file of the learned I Additional District and Sessions Judge, Chittoor, until the next date of hearing.

List after eight (08) weeks.

Sd/-K.Srinivasa Raju,

ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to SRI. D PURNACHANDRA REDDY Advocate [OPUC]
2. Two CCs to Public Prosecutor, High Court of A.P. [OUT]
3. One CC to SRI. Ch.Omernathan, Advocate [OPUC]
4. One spare copy.

HIGH COURT

DR.YLR,J

DATED:18/02/2026

LIST AFTER EIGHT (08) WEEKS.

ORDER

CRLP.No.2417 of 2022

STAY

