

[3296]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE SIXTEENTH DAY OF APRIL TWO THOUSAND AND TWENTY ON

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

IA No. 1 OF 2021

IN

CRLP NO: 2378 OF 2021



Between:

Jalli Priyanka, D/o Sri J. Nageswara Rao, Hindu, aged 29 Years R/o.Pedapeta,
H/o.Lankalakoderu, Palakol Mandal, W.G.District, Andhra Pradesh

...Petitioner/A-4

(Petitioner in CRLP 2378 OF 2021
on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep.by Public Prosecutor High Court of A.P.,
Amaravathi Guntur District.
2. Chodagiri Chaitanya, W/o.Sri Ch.Mahendra Kumar, Hindu, aged 26 years
Occ.Housewife, R/o.Kotta Colony, Chinapet, Achanta (V) and (M) West Godavari
District Andhra Pradesh

...Respondents

(Respondents in-do-)

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 grant stay of all further proceedings in FIR No.179/2020 dt.10-12-2020 on the file of the Station House Officer, Achanta Police Station, Achanta, West Godavari District, Andhra Pradesh in so far as petitioner/A-4 is concerned, pending disposâl of CRLP No. 2378 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and memo of grounds filed in CrI.P., and upon hearing the arguments of Sri K Chidambaram, Advocate for the Petitioner, and of Public Prosecutor for Respondent, the Court made the following

ORDER:

The petitioner is accused No.4 in Cr.No.179 of 2020 in Achanta Police Station, West Godavari District under Sections 498-A, 354(a), 354(c), 312, 323, 506 IPC read with Sections 3 and 4 of the Dowry Prohibition Act, 1961.

Sri K.Chidambaram, learned counsel for the petitioner would submit that even according to the complaint, the petitioner is neither a relative nor a family member of accused No.1/husband of the de facto complainant and as such Section 498-A IPC would not apply to the petitioner. He would also submit that the allegations in the complaint did not make out any case against the relation to Sections 354(a), 354(c) and 312 IPC or Sections 3 and 4 of the Dowry Prohibition Act, 1961. As far as the allegations under Sections 323, 506 IPC are concerned, he would submit that the petitioner was out of India from most of the period under which the incidents stated in the complaint are said to have occurred. In that view of the matter, he submits that the complaint against the petitioner has to be quashed.

There is narration in the contention of the learned counsel for the petitioner that most of the offences set out in the complaint would not apply to the petitioner.

In the circumstances, there shall be stay of further investigation against the petitioner/accused No.4 including arrest in Cr.No.179 of 2020 in Achanta Police Station, West Godavari District and the investigation may go on against the other accused.

//TRUE COPY//

Sd/-V.Diwar
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Station House Officer, Achanta Police Station, Achanta, West Godavari District, Andhra Pradesh
2. Chodagiri Chaitanya, W/o.Sri Ch.Mahendra Kumar Hindu, aged 26 years Occ.Housewife, R/o.Kotta Colony, Chinapet, Achanta (V) and (M) West Godavari District Andhra Pradesh
3. Two CCs to Public Prosecutor, High Court of A.P., Amaravathi Guntur District.(OUT)
4. One CC to Sri. K Chidambaram, Advocate [OPUC]
5. One spare copy

Skm

HIGH COURT

RRR,J

DATED:16/04/2021

ORDER

**IA. No. 1 of 2021
IN
CRLP.No.2378 of 2021**

INTERIM STAY

