

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE NINETEENTH DAY OF APRIL,
TWO THOUSAND AND TWENTY ONE

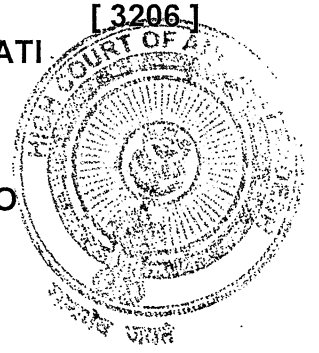
: PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

IA No. 1 OF 2021

IN

CRLP NO: 2410 OF 2021



Between:

1. Marapudi Surendra S/o.Sivarama Krishnaiah, aged:46 years, Occ: business, R/o. 19-6-1, Shivalayam Street, Old Ponnuru (M) & Post Guntur District, Andhra Pradesh - 522124.
2. Marapudi Naga Praveen S/o.Nageswar Rao, Aged: 40 years, Occ: private service R/o. 19-6-1, Shivalayam Street, Old Ponnuru (M) & Post Guntur District, Andhra Pradesh - 522124.

...Petitioner/Accused No.1 & 2

AND

1. State of A.P. rep. by P.P. High Court, Amaravathi.
2. Bume Vijay Kumar, S/o. Venkata Rao, Aged: years, Occ, Cable technician R/o. D.No.18-3-1,23rd Ward, Near Lutheren Church, Old Ponnur, Ponnur Town.

...Respondent /Defacto Complainant

Counsel for the Petitioner: SRI K SRINIVASA SUBRAMANYAM

Counsel for the Respondent No.1: PUBLIC PROSECUTOR

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal petition, the High Court may be pleased to stay all further proceedings include arrest of the petitioners in FIR No. 67/2021 u/s.307,427,506, r/w.34 IPC, S.3(1) (r),3(1)(s) SC, ST, POA pending on the file of Ponnuru Town Police Station, pending disposal of Criminal Petition No.2410 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following

ORDER

“Petitioners are the accused Nos.1 and 2 in Crime No.67 of 2021 of Ponnuru Town police station, Guntur District under Sections 307, 427, 506 r/w 34 IPC and Section 3(1) (r), 3(1) (s) SC. ST. Prevention of Atrocities Act.

The allegation against the petitioners is that the petitioners along with other accused had assaulted the defacto complainant and abused him in the name of community as he was resisting their attempts to cut the cable wires of his employer.

Sri T.Gokul appearing for Sri K.Srinivasa Subramanyam would submit that the very same complainant filed a similar complaint registered as Crime No.144 of 2019 under Sections 323, 341, 506 and 109 r/w 34 IPC and Section 3(1) (r), 3(1) (s) 3(2) (va) SC. ST. Prevention of Atrocities Act and the same had been closed as a false complaint. He would submit that the defacto complainant is in the habit of

filing false cases against the petitioners in view of the trade rivalry between the petitioners and the employer of the defacto complainant.

In view of the above circumstances, it would be appropriate to permit the investigation in Crime No.67 of 2021 to go on. However, no coercive steps including the steps against the petitioners as they appear to be a Prima facie case of the repeated complaints by the defacto complainant."

//TRUE COPY//

Sd/-M.RameshBabu
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Station House Officer, Ponnuru Town Police Station, Guntur District. —
2. Bume Vijay Kumar, S/o. Venkata Rao, Aged: years, Occ, Cable technician R/o—
D.No.18-3-1,23rd Ward, Near Lutheren Church, Old Ponnur, Ponnur Town. (By
RPAD)
3. One CC to Sri K Srinivasa Subramanyam, Advocate [OPUC] —
4. Two CCs to Public Prosecutor, High Court of Andhra Pradesh. [OUT]
5. One spare copy

SP

HIGH COURT

RRRJ

DATED: 19/04/2021

ORDER

IA No. 1 OF 2021
IN
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DIRECTION

