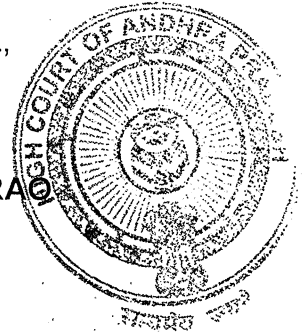


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE TWENTY EIGHTH DAY OF APRIL,
TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO



IA No. 1 OF 2021
IN
CRLP NO: 2645 OF 2021

Between:

1. Thummepalli Mallikarjuna Rao, S/o Venkateswara Rao, Aged about 45 yrs, Occ: Business, R/o H.No.13-170, Muthyala road Jaggaiahpet, Krishna District
2. Thummepalli Padmavathi, W/o T.Mallikarjuna Rao, Aged about 40yrs, R/o H.No.13-170, Muthyala Road Jaggaiahpet, Krishna District

...Petitioners
(Petitioner in CRLP 2645 OF 2021
on the file of High Court)

AND

1. Satti Mohana Rao, S/o Satyanarayana, Aged about 45yrs, Occ: Business, R/o Pochampalli Village, Jaggaiahpet Mandal, Krishna District
2. The State of Andhra Pradesh, Through Station House Jaggaiahpet Police Station Jaggaiahpet, Krishna Rep. by its Public Procesutor High Court of Andhra At Amaravathi

...Respondents
(Respondents in-do-)

Counsel for the Petitioners : SRI P.NAGENDRA REDDY
Counsel for the Respondent No.2: PUBLIC PROSECUTOR

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds of criminal petition, the High Court may be pleased to grant stay all further proceedings in pursuant to the Docket Order in CF No.603/2021, dt.25-03-2021 on the file of the Judicial First Class Magistrate, Jaggaiahpet, Krishna District including the investigation by the 2nd respondent, pending disposal of CRLP No. 2645 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).

ORDER:

"The petitioners are accused in CF.No.603 of 2021, docket order dated 25.03.2021 in the Court of the Judicial First Class Magistrate, Jaggaiahpet, Krishna District.

Sri P.Nagendra Reddy, learned counsel for the petitioners would submit that the order of the Magistrate is not in accordance with the guidelines laid down by Hon'ble Supreme Court in Priyanka Srivastava, which mandated that an affidavit has to be filed along with the complaint before the Magistrate can take cognizance of the case.

In the present case, no such affidavit has been filed. He would further submit that no reasons have been given for taking cognizance or for referring the matter to police for investigation.

In view of the aforesaid submissions, there shall be stay of all further investigation in pursuance of the docket order of the Judicial First Class Magistrate, Jaggaiahpet, Krishna District in C.F.No.603 of 2021, dated 25.03.2021."

SD/- T. MADHAVI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial First Class Magistrate, Jaggaiahpet, Krishna District
2. Satti Mohana Rao, S/o Satyanarayana, Aged about 45yrs, Occ: Business, R/o Pochampalli Village, Jaggaiahpet Mandal, Krishna District (By RPAD)
3. One CC to Sri. P.Nagendra Reddy, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

MM

HIGH COURT

RRRJ

DATED:28/04/2021

ORDER

IA No. 1 OF 2021
IN
CRLP NO: 2645 OF 2021

INTERIM DIRECTION

