

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

FRIDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH

CRIMINAL PETITION NO: 2981 OF 2022



Between:

1. Shaik Abdul khadar, son of Mehahoob, Muslim aged about 54 years, resident of D. No. 34 / 105 /A737/B Chatri bagh, Kurnool district. - 518001
2. Shaik Akram Basha , son of Shaik Abdul Khadar, Muslim, aged about 30 years, resident of D. No. 34./ 105 /A737/B Chatri bagh, Kurnool district - 518001
3. Shiak Althaf Hussain, son of ShaiK Abdul Kadhar, Muslim, aged about 30 years, resident of D No. 34 / 105 /A737/B Chatri bagh, Kurnool district - 518001

...Petitioners

AND

1. State of A.P., represented of it's P.P. High Court of A.P. at AMARAVATHI.
2. The S.H.O., , Disha Mahila Police Station, Kurnool district,
3. Smt. Sana Bibi, wife of Shaik Akram Basha, Muslim, Aged 26 years, R/o D. No. 24 / 69 Chatir bagh street, Kurnool, Kurnool District - 518001

...Respondent/De-facto Complainant

Whereas the Petitioners above named through their Advocate Sri A Chandraiah Naidu, presented this Criminal Petition filed 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 call for the records pertaining to the F.I.R. No. 23 of 2022 on the file of I town P.S. Kurnool District / Disha Mahila police station and quash the same in the interest of justice.

And Whereas the High Court upon perusing the Criminal petition and memorandum of grounds filed herein and upon hearing the arguments of Sri A Chandraiah Naidu, Advocate for the Petitioners, and of Public Prosecutor for the Respondent Nos.1 and 2, directed issue of notice to the Respondent No.3, herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Smt. Sana Bibi, wife of Shaik Akram Basha, R/o D. No. 24 / 69 Chatir bagh street, Kurnool, Kurnool District - 518001

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, post this matter after summer vacation.

IA NO: 2 OF 2022

Petition filed 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 grant stay of all further proceedings in Crime No. 23/2022 of I town P.S. Kurnool District / Disha Mahila

police station, pending disposal of CRLP No. 2981 of 2022, on the file of the High Court.

The Court made the following:
ORDER:

Notice to the respondents

Learned counsel for petitioner is permitted to take out personal notice to the 3rd respondent by registered post with acknowledgment due and file proof of service into the Registry.

Learned counsel for the petitioners submitted that the 2nd petitioner made a complaint to the Police on 27.02.2022 against the 3rd respondent herein and apart from that he also filed an application before the Family Court, Kurnool, under Section 281 (1) of the Muhammadan Law and r/w Section 7 of the Family Court Act for restitution of conjugal rights. While, the said application is pending, the present complaint has been lodged by the 3rd respondent. Even in the said complaint, no specific date or incident is mentioned.

Considering the submissions of the learned counsel for the petitioners and on perusal of the complaint and also application for restitution of conjugal rights, there shall be stay of all further proceedings in Crime No.23 of 2022 of I Town Police Station, Kurnool District.

Post after summer vacation.

//TRUE COPY//

Sd/-V.Satyanarayana
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Station House Officer, I Town Police Station/Disha Women Police Station, Kurnool District.
2. Smt. Sana Bibi, wife of Shaik Akram Basha, R/o D. No. 24 / 69 Chatir bagh street, Kurnool, Kurnool District - 518001 **(by RPAD- along with a copy of petition and memorandum of grounds)**
3. One CC to SRI. A. Chandraiah Naidu, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
5. One spare copy

VD

HIGH COURT

DRJ

DATED:22/04/2022

NOTE: POST AFTER SUMMER VACATION.

ORDER

NOTICE BEFORE ADMISSION

CRLP.No.2981 of 2022

STAY

