



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

MONDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 2939 OF 2024

Between:

1. Kancherla Narasimha Reddy, S/o. Subba Reddy aged about 51 Years,
2. Kancherla Praveen Kumar, S/o. Narasimha Reddy, aged about 32 Years

Both the petitioners are R/o. 24-6-596 4TH Street, Old Military Colony,
Dargamitta, Nellore City, SPSR Nellore District.

Petitioners/Accused 2 & 3

AND

1. The State of Andhra Pradesh, Represented by the Public Prosecutor,
High Court of A.P. at Amaravathi.

Respondent

2. Immadisetty Sudheer Kumar, S/o. Venkata Ramanaiah, Aged about 47
years, R/o. Nawabpet, Nellore City, SPS Nellore Dist, A.P.

Respondent/Defacto Complainant

WHEREAS the Petitioners/Accused above named through their Advocate MS. ROSEDAR S.R.A presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the memo of grounds filed in support of the Criminal Petition, the High Court may be pleased to QUASH the proceedings in C.C. No. 675 of 2023 pending on the file of the Hon'ble Court of Additional Judicial Magistrate of First Class, Kovur, SPSR Nellore District in Crime No. 142 of 2022 Dated 06-07-2022 of Buchireddypalem P.S. SPSR Nellore District

— AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of MS.ROSEDAR S.R.A Advocate for the Petitioners, ASSISTANT PUBLIC PROSECUTOR for the Respondent No.1, directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

— You viz:

ImmadiSETTY Sudheer Kumar, S/o. Venkata Ramanaiah, Aged about 47 years, R/o. Nawabpet, Nellore City, SPS Nellore Dist, A.P.

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 memorandum of grounds filed therewith(copy enclosed) this **CRIMINAL PETITION** should not be admitted within eight weeks.

— **IA NO: 1 OF 2024**

Petition under Section 482 of Cr.P.C, ^{is filed} praying that in the circumstances stated in the memo of grounds filed in support of the petition, the High Court may be pleased to grant STAY of all further proceedings including the personal appearance in the proceedings in C.C. No. 675 of 2023 pending on the file of the Court of Additional Judicial Magistrate of First Class, Kovur, SPSR Nellore District in Crime No. 142 of 2022 Dated 06- 07-2022 of Buchireddypalem P.S. SPSR Nellore District, pending disposal of CRLP No. 2939 of 2024, on the file of the High Court.

— **The Court made the following order:**

“Learned Assistant Public Prosecutor takes notice for respondent No.1 and seeks time to get instructions in the matter.

Issue notice to respondent No.2.

Learned counsel for the petitioners is permitted to take out personal notice on respondent No.2 by registered post with

acknowledgment due and file proof of service before the Registry within a period of three (3) weeks.

On a perusal of the material on record goes to show that A-1 agreed to sell the land to an extent of 0.40 cents, situated in Survey No.334/4 and 334 (0.35 cents and 0.50 cents) of Damaramadugu village to the de facto complainant and to that effect an agreement of sale was entered between them. The sale price was fixed at Rs.65,00,000/- and the de facto complainant paid advance sale consideration amount to a tune of Rs.6,50,000/- on 04.06.2022. The accusation against the petitioners herein/A-2 and A-3 is that they are alleged to have insisted A-1 not to register the land in favour of the de facto complainant on the ground that the rate which was agreed upon between A-1 and the de facto complainant is very low. Except the said allegation, no specific act has been attributed against the petitioners herein. Even accepting the said accusation to be true, still there is any amount of ambiguity whether the offence under Section 420 IPC would attract against the petitioners herein or not. It needs examination.

In view of the said reasons, there shall be interim stay of all further proceedings in CC No.675 of 2023 on the file of the learned Additional Judicial Magistrate of First Class, Kovur, SPSR Nellore district, in respect of the petitioners herein/A-2 and A-3 only, for a period of twelve (12) weeks.

List the matter after eight (8) weeks."

Sd/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

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To,

1. The Additional Judicial Magistrate of First Class, Kovur, SPSR Nellore District
2. The S.H.O, Buchireddypalem P.S. SPSR Nellore District

3. Immadisetty Sudheer Kumar, S/o. Venkata Ramanaiah, Aged about 47 years, R/o. Nawabpet, Nellore City, SPS Nellore Dist, A.P. (by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to MS. ROSEDAR S.R.A Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of A.P.[OUT]
6. **One spare copy**

rvk



HIGH COURT

SRK,J

DATED:29/04/2024

LIST THE MATTER AFTER EIGHT (8) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.2939 of 2024

INTERIM STAY

