

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

:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI

IA No. 1 OF 2023

IN

CRLP NO: 2994 OF 2023



Between:

Vallepu Tirupatamma, D/o China Anjaiah, 27 yrsc/st, Yerukala D.No.1-201, China
Kothapalli Village, Prakasam District.

...Petitioner/Accused No.4

(Petitioner in CRLP 2994 OF 2023
on the file of High Court)

AND

1. The State of Andhra Pradesh, Thorugh S.H.O. Gollaprolu P.S. Represented
by Public Prosecutor High Court at Amaravathi.
2. Palaparthi Durga, W/o Chiranjeevi, Hindu aged about 38 yrs Mahila Constable
in Grama Sachivalayam, Gollaprolu D. No.17-4-76, Sivalayam Manyam,
Gollaprolu Village and Mandal Kakinada District, Andhra Pradesh

...Respondent/Complainant

(Respondents in-do-)

Counsel for the Petitioner :

SRI PONNAM RAVINDRA BABU

Counsel for the Respondent No.1:

PUBLIC PROSECUTOR

Petition under Section 482 of Cr.P.C is filed praying that in the circumstances stated in memorandum of grounds of criminal petition, the High Court may be pleased to grant stay of all further proceedings including appearance before the Hon'ble court in C.C.No.121/2023 on the file of Additional Judicial First class Magistrate, Pithapuram of Gollaprolu P.S, pending disposal of CRLP No.2994 of 2023, 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:

"This application under Section 482 CrPC is filed to grant stay of all further proceedings in C.C.No.121 of 2023 on the file of the Court of Additional Judicial First Class Magistrate, Pithapuram.

Heard learned counsel for the petitioner.

Learned counsel for the petitioner submitted that the main accusation is against the husband of the *de facto* complainant, who has been arrayed as A1, whereas, insofar as the other accused, particularly, the petitioner (A4) herein is concerned, an omnibus and general allegation is made that A2 to A7 demanded the *de facto* complainant to pay additional dowry of Rs.7 lakhs through A1. It is represented by the learned counsel that A4 is the cousin of A1 and is doing temporary employment in Panchayat Raj Department, Government of Andhra Pradesh and is living away and he has nothing to do with the disputes between A1 and the *de facto* complainant.

Learned Assistant Public Prosecutor submitted that the harassment meted out by the *de facto* complainant and the demands for additional dowry itself are sufficient to constitute the offence alleged in the complaint.

In reply, learned counsel for the petitioner submitted that except the bare and omnibus allegations, there are no other allegations insofar as the present petitioner/A4 is concerned.

Perused the record.

The main accusation is against A1 to the effect that he demanded the *de facto* complainant to bring additional dowry and also used to ill-treat her by sending vulgar messages through whatsapp and leaving the *de facto* complainant and her child to their fate without taking proper care of them. But, insofar as the petitioner/A4 is concerned, only an omnibus allegation is made that A2 to A6 demanded the *de facto* complainant to bring additional dowry. In view of the specific accusations leveled against A1, this is a matter fit to grant interim stay as prayed for.

Accordingly, there shall be interim stay of all further proceedings in C.C.No.121 of 2023 on the file of Additional Judicial First Class Magistrate, Pithapuram, against the petitioner/ A4 alone, for a period of four weeks.

Notice to the 2nd respondent."

//TRUE COPY//

Sd/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

For

SECTION OFFICER

To,

1. The Additional Judicial First class Magistrate, Pithapuram
2. The Station House Officer, Gollaprolu Police Station
3. Palaparthi Durga, W/o Chiranjeevi, Mahila Constable in Grama Sachivalayam, Gollaprolu D. No.17-4-76, Sivalayam Manyam, Gollaprolu Village and Mandal Kakinada District, Andhra Pradesh. (by RPAD)
4. One CC to Sri. Ponnamm Ravindra Babu, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy

MM

HIGH COURT

BSBJ

DATED:24/04/2023

NOTE: LIST AFTER FOUR (04) WEEKS

ORDER

**IA No. 1 OF 2023
IN
CRLP NO: 2994 OF 2023**

INTERIM STAY

