

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY ,THE TWELFTH DAY OF MAY

TWO THOUSAND AND TWENTY THREE



:PRESENT:
THE HONOURABLE MS JUSTICE B S BHANUMATHI
IA No. 2 OF 2023
IN
CRLP NO: 3122 OF 2023

Between:

1. S.Lavanya, W/o S.Mukunda, Aged /18 Years, Occu. Home maker, R/o Sree Raghavendra Nilaya, Near Mallikarjuna Swamy Temple, Valmiki Nagar, Chelikera village and Town, Chitra Durg District, Karataka State.
2. A.Nagaveni,, W/o A. Giridhar, Aged 45 Years, Occu. Home Maker, Sri Anantha Lakshmi Spinning Mill Pvt. Ltd., Boya Palem Village, Guntur District.
3. S.Sunitha,, W/o S.Raghu, Aged 39 years, Occu. Home maker, R/o LIG-4, APHB Colony, Adoni Town, Kurnool District.

...Petitioner(s)
(Petitioner in CRLP 3122 OF 2023
on the file of High Court)

AND

1. The State of Andhra Pradesh, rep., by Public Prosecutor, High Court, Amaravathi.
2. Markapuram Rama Subbamma,, W/o. late Subbarayudu, age 68 years,R/o. Dhone Town and Mandal, Kurnool District.

...Respondent
(Respondents in-do-)

Counsel for the Petitioner : Sri SRIMAN

Counsel for the Respondent No.1: PUBLIC PROSECUTOR (AP)

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings in PRC No.7 of 2022 on the file of the file of the Judicial Magistrate First Class. At Pathikonda , Pending disposal of CRLP No. 3122 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 is filed to stay all further proceedings in PRC No.7 of 2022 on the file of the Judicial Magistrate First Class at Pathikonda.

Heard.

Learned counsel for the Petitioners/ Accused Nos.4 to 6 submitted that the petitioners are in no way connected to the commission of the offence and though the Police have dropped the case against Accused Nos.4 to 6 after making thorough investigation, the learned Magistrate has taken cognizance of offences punishable under Sections 498(A), 306, 313 of IPC and Sections 3 & 4 of DP Act even against the Petitioners/Accused Nos.4 to 6 without recording reasons and without there being any material, by passing a cryptic order as follows.

"Perused the entire record. Prima facie case is made out against the accused. Hence, case is taken on file for the offence U/Sec.498-A, 306, 313 IPC and Sec.3&4 of DP Act. Issue Summons to A1 to A6, call on 6-2-2023"

Perused the record.

In view of the reasons mentioned in the affidavit filed in support of the application and the submissions noted above, there shall be an interim stay on all further proceedings in PRC No.7 of 2022 on the file of the Judicial Magistrate First Class at Pathikonda, till 28.06.2023.

Post the matter on 28.06.2023.

Notice to respondent No.2

Learned counsel for the petitioners is permitted to take out personal service of notice to respondent No.2 by RPAD and file proof thereof. "

//TRUE COPY//

To,

For A

Sd/- P. VINOD KUMAR
ASSISTANT REGISTRAR

SECTION OFFICER

1. The Judicial Magistrate First Class. At Pathikonda.
2. Markapuram Rama Subbamma,, W/o. late Siihharayudu, age 68 years,R/o. Dhone Town and Mandal, Kurnool District.(By RPAD)
3. One CC to SRI. SRIMAN Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
5. One spare copy.

psk



HIGH COURT

BSBJ

DATED:12/05/2023

POST ON 28.06.2023

ORDER

IA No. 2 OF 2023
IN
CRLP NO: 3122 OF 2023

INTERIM STAY

