

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE TWENTY THIRD DAY OF APRIL

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE HARINATH.N

CRIMINAL PETITION NO: 4404 OF 2025



Between:

Syed Areef, S/o Syed Rafiq Ahmed, Aged 30 yrs, Occ- Business, R/o 221/1 A, Vivekananda College of Education NRT Road, B. Ed College of Vittamrajupalli, Vinukonda, Vinukonda JCJC. Palnadu District.

...Petitioner/Respondent/Respondent

AND

1. Syed Tanzila, W/o Syed Arif, D/o SM Ziauddin, Aged 28yrs, Occ- House Wife, R/o D.No 13-14-545, Sri Lakshminarayana Nilalayam, Floor, 1st lane, Krishna Nagar, Guntur.
2. Syed Affan, S/o Syed Areef, Aged 4 yrs. Being Minor Rep by his Mother i.e 1st Respondent, R/o D.No 13-14-545, Sri Lakshminarayana Nilalayam 1st Floor, 1st lane, Krishna Nagar, Guntur

...Respondents/Petitioners/Petitioners

3. The State of Andhra Pradesh, Rep. by Public Prosecutor, High Court of Andhra Pradesh at Amaravati.

...Respondent/Respondent

Petition under Section 482 of Cr.P.C/ Under Section 528 of BNSS 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 quash or set aside the order, dated 05-02-2025 passed in CrI.M.P. No.247 /2024 in F.C.O.P. (MC) No. 251/2023.on the file of Judge, Family Court: Guntur District, Guntur.

IA NO: 1 OF 2025

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to suspend the operation of the order, dated 05-02-2025 passed in Crl.M.P. No.247 /2024 in F.C.O.P. (MC) No. 251/2023 on the file of Judge, Family Court, Guntur District, Guntur, Pending disposal of CRLP 4404 of 2025, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of SRI PRAKASH BUDDARAPU, Advocate for the Petitioner, and of PUBLIC PROSECUTOR, for the Respondent No.3, the Court made the following.

ORDER:

The learned Senior counsel appearing for the petitioner submits that the petitioner is aggrieved by the order passed in Crl.M.P.No.247 of 2024 in F.C.O.P. (MC) NO.251 of 2023 on the file of Family Court, Guntur District.

It is submitted by the learned Senior counsel that the order was passed without hearing the petitioner's counsel, and that they became aware of the order upon receipt of a caveat filed by respondent No.2.

The petitioner shall deposit 50% of the outstanding maintenance as granted and directed by the learned Magistrate, by taking a demand draft in the name of the 1st respondent and filing it before the Court. The Magistrate shall hand over the demand draft to the 1st respondent after duly obtaining an acknowledgment.

Considering the same, there shall be stay of all further proceedings in Crl.M.P.No.247 of 2024 in F.C.O.P. (MC) NO.251 of 2023 on the file of Family Court, Guntur District.

The learned counsel for the petitioner is permitted to take out personal notice on the respondent No.2 by RPAD and file proof of service in the Registry.

Post the matter on 30.06.2025.

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

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To,

1. The Judge, Family Court, Guntur District, Guntur.
2. Syed Tanzila, W/o Syed Arif, D/o SM Ziauddin, Aged 28yrs, Occ- House Wife, R/o D.No 13-14-545, Sri Lakshminarayana Nilalayam, Floor, 1st lane, Krishna Nagar, Guntur (for her self and her minor son Syed Affan by RPAD)
3. One CC to SRI. PRAKASH BUDDARAPU Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
5. One spare copy

PSR

HIGH COURT

HN,J

DATED:23/04/2025

NOTE: Post the matter on 30.06.2025.

ORDER

CRLP.No.4404 of 2025

INTERIM STAY

