

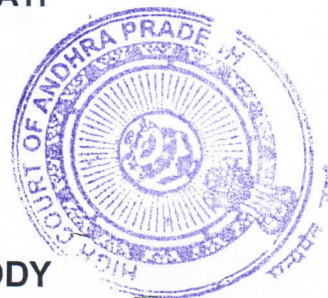
[3327]

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

TUESDAY ,THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 3640 OF 2024



Between:

1. Syed Khaleelulla, S/o. Late Syed Ubedulla, Aged about 41 Years.
2. Syeda Fareeda Banu, W/o. Late Syed Ubedulla Aged about 69 Years.
3. Syed Nabi, S/o. Late Syed Ubedulla Aged about 46 Years.
4. Syed Shakeel, S/o. Late Syed Ubedulla Aged about 28 Years
(Petitioners No.1 to 4 are R/o. Tilak Nagar, Molakalamuru Town
Chitradurga District, Karnataka State-577535.)

Petitioners/Accused 1 to 4

AND

1. The State of Andhra Pradesh, Represented by the S.H.O., Rayadurg
Urban P.S.. Anantapur District, through the Public Prosecutor, High
Court of A.P. at Amaravathi.

Respondent

2. L. Sumaiah Fanoos, W/o. Syed Khaleelulla D/o. Laddu Ismail, Aged
about 34 Years, R/o. 3-2-245, Athmakur Street, Rayadurg Town,
Anantapur District.

Respondent No.2/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 affidavit filed in support
of the Criminal Petition, the High Court may be pleased to call for the records

pertaining to and in connection in Crime (FIR) No. 13 of 2024 of Rayadurg Urban P.S, Anantapur District, Dated 11-01-2024 offences under Sections 420 r/w Section 34 of IPC, Sections 3 & 4 of the Dowry Prohibition Act,1961 and Section 156(3) Cr.P.C and Quash the same

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:

L. Sumaiah Fanoos, W/o. Syed Khaleelulla D/o. Laddu Ismail, Aged about 34 Years, R/o. 3-2-245, Athmakur Street, Rayadurg Town, Anantapur District.

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 affidavit filed in support of the petition, the High Court may be pleased to grant STAY of all further proceedings in Crime (FIR) No. 13 of 2024 of Rayadurg Urban P.S, Anantapur District, Dated 11-01-2024 offences under Sections 420 r/w Section 34 of IPC, Sections 3 & 4 of the Dowry Prohibition Act,1961 and Section 156(3) Cr.P.C, pending disposal of CRLP No. 3640 of 2024, on the file of the High Court.

The Court made the following order:

“Issue notice to the unofficial respondent No.2.

Learned counsel for the petitioners is permitted to take out personal notice to the unofficial respondent No.2 through registered post with acknowledgment due and file proof of service in the Registry, within a period of three (03) weeks.

Learned counsel for the petitioners submits that on the same set of facts, the *de facto* complainant filed a complaint as against the accused and the same has been taken on file as C.C.No.245 of 2012 on the file of the learned Judicial Magistrate of First Class, Rayadurg. Pending the same, the *de facto* Complainant resorted in filing the present complaint as against the petitioners herein by way of private complaint under section 190 r/w 200 Cr.P.C., on 13.07.2023. Basing the same, learned magistrate referred the case to the police under Section 156(3) Cr.P.C., on 11.01.2024.

Apparently on the face of it, the present complaint amounts to the second complaint on the very same set of facts. The matter requires examination.

In view of the said reasons, there shall be interim stay of all further proceedings in Crime (FIR) No.13 of 2024 on the file of Rayadurg Urban Police Station, Anantapur District, for a period of twelve (12) weeks.

Post after eight (08) weeks.”

SD/-G.HELNA NAIDU
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The S.H.O, Rayadurg Urban Police Station, Anantapur District
2. L. Sumaiah Fanoos, W/o. Syed Khaleelulla D/o. Laddu Ismail, Aged about 34 Years, R/o. 3-2-245, Athmakur Street, Rayadurg Town,

3. One CC to MS. ROSEDAR S.R.A Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
5. **One spare copy**

HIGH COURT

SRK,J

DATED:18/06/2024

POST AFTER EIGHT (08) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.3640 of 2024

INTERIM STAY

