

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE SIXTH DAY OF MAY,
TWO THOUSAND AND TWENTY TWO**

:PRESENT:

**THE HONOURABLE SRI JUSTICE D RAMESH
CRIMINAL PETITION NO: 3624 OF 2022**



Between:

1. Lanka Venkata Rama Rao, S/o. Lakshmana Swamy, Aged 55 years, R/o D.No.15-31-64/1, Dharma Reddy Colony, Phase-1, Beside ICICI Bank, Kukatpally Housing Board Colony, Kukatpally, Hyderabad; Telangana State.
2. Lanka Tarun, S/o. Lanka Venkata Rama Rao, Aged 29 years, R/o D.No. 15-31-64/1, Dharma Reddy Colony, Phase-1, Beside ICICI Bank, Kukatpally Housing Board Colony, Kukatpally, Hyderabad, Telangana State.
3. Lanka Venkata Sai Sreeharsha, S/o. Lanka Venkata Rama Rao, Aged 23 years, R/o D.No. 15-31-64/1, Dharma Reddy Colony, Phase-1, Beside ICICI Bank, Kukatpally Housing Board Colony, Kukatpally, Hyderabad, Telangana State.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep by the Station House Officer, The Crime Investigation Department, Mangalagiri, Amaravati, Guntur District, Andhra Pradesh Rep by through the Public Prosecutor, High Court of Andhra Pradesh, Guntur District.

...Complainant/1st Respondent

2. Siddi Srinivas Rao, S/o STLSV Prasad, Aged about 50 years, Occ: Government Employee, R/o 43-119-24, Masjid Road, Ajith Singh Nagar, Near Shubodaya School, Krishna District, Andhra Pradesh.

...Defacto Complainant/2nd Respondent

WHEREAS the Petitioners above named through their Advocate Sri KILARU NITHIN KRISHNA presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to quash the First Information Report in Crime No.15/2022 on the file of C.I.D Mangalagiri, Amaravati, Guntur District, Andhra Pradesh for the offences u/s. 420, 467, 468, 471, 120-B r/w 34 Indian Penal Code, 1860 to prevent the abuse of process of law in the interest of Justice and Equity.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri Kilaru Nithin Krishna, Advocate for the Petitioners and Public Prosecutor for the Respondent No.1, directed issue of notice to the Respondents herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Siddi Srinivas Rao, S/o STLSV Prasad, Government Employee, R/o 43-119-24, Masjid Road, Ajith Singh Nagar, Near Shubodaya School, Krishna District, Andhra Pradesh.

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 grounds filed therewith (copy enclosed) this CRLP should not be admitted.

IA NO: 2 OF 2022

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 further proceedings including the arrest of the petitioner in connection to the First Information Report in Crime No.15/2022 on the file of C.I.D. Mangalagiri, Amaravati, Guntur District, Andhra Pradesh for the offences u/s. 420, 467, 468, 471, 120-B r/w 34 Indian Penal Code, 1860 to prevent the abuse of process of law in the interest of Justice and Equity, pending disposal of CRLP No.3624 of 2022, on the file of the High Court.

IA NO: 1 OF 2022

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 direct the 1st respondent herein not to insisting the petitioners to submit the original copy of the WILL deed dated 14/08/2014 and sale deed dated 24/06/1993 vide Documer No.5356/1993 until the same is filed before the Additional Senior Civil Judge Kukatpally, Hyderabad City, Telanga State to prevent the abuse of process of in the interest of Justice and Equity, pending disposal of CRLP No.3624 of 2022, on the file of the High Court.

**The Court made the following:
ORDER:**

“Notice.

Petitioners are permitted to take out personal notice on R2 through RPAD and file proof of service into Registry.

Basing on the complaint dated 22.4.2022, the 1st respondent has registered a case in Cr.No.15/2022 under Sections 420, 467, 468, 471, 120-B r/w 34 IPC.

Learned counsel for the petitioners would submit that a civil suit is pending between the petitioner and R2/complainant on the file of the Additional Senior Civil Judge, Kukatpally, Hyderabad vide O.S.No.144/2022, on 27.01.2022. In the said suit, the 1st petitioner has also filed I.A. for temporary injunction and the same was considered by the Court and granted injunction in favour of the petitioner on 31.01.2022. Subsequently, after filing the suit, 1st respondent is interfering with the petitioners' possession, the petitioners have approached this Court by way of a writ petition vide W.P.No.10838 of 2022 and the same was came up for admission on 19.4.2022. On the said date, basing on the written instructions given by the 1st respondent that the unofficial respondents also gave a fresh complaint against the petitioner making some serious allegations of fraud, forgery etc., which is being looked into in the present case. The said admissions were made on 19.4.2022. But surprisingly, the present complaint has been made on 22.4.2022. On perusal of the statement made by the learned standing counsel in the writ petition and complaint of unofficial respondent dated 22.4.2022 itself gives rise suspicious grounds.

In view of the same, without going into the merits of the case, there shall be a stay of all further proceedings including the arrest of the petitioner in connection with F.I.R. in Crime No.15/2022 on the file of C.I.D., Mangalagiri, Amaravati.

R1 is directed to file counter with regard to the statement made in W.P.No.10838 of 2022 on 19.4.2022 as well as in this petition.

Post after Summer vacation, 2022."

//TRUE COPY//

Sd/-M.Suryanadha Reddy
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Station House Officer, C.I.D Mangalagiri, Amaravati, Guntur District
2. Siddi Srinivas Rao, S/o STLSV Prasad, Government Employee, R/o 43-119-24, Masjid Road, Ajith Singh Nagar, Near Shubodaya School, Krishna District, Andhra Pradesh. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to Sri. Kilaru Nithin Krishna, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

MM

HIGH COURT

DRJ

DATED:06/05/2022

NOTE: POST AFTER SUMMER VACATION, 2022

NOTICE BEFORE ADMISSION

CRLP.No.3624 of 2022

STAY

