

APHC010257342025



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

TUESDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT



THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

I.A.NOs.2 AND 3 OF 2025

IN/AND

CRIMINAL PETITION NO: 5436 OF 2025

Between:

1. Mamidi Naga Malleswara Reddy, S/o.Obula Konda Reddy, aged about 41 years, R/o.Gangaperuru Village, Vontimitta Mandal, YSR Kadapa District. Presently residing at Unit 1, 69 Penelope Lucas Lane, Rose Hill, New South Wales, Sydney, Australia - 2142.
2. Mamidi Chaitanya Vani, W/o.Mamidi Naga Malleswara Reddy, aged about 38 years, R/o.Gangaperuru Village, Vontimitta Mandal, YSR Kadapa District. Presently residing at Unit 1, 69 Penelope Lucas Lane, Rose Hill, New South Wales, Sydney, Australia - 2142.

...Petitioners/Accused No.1 & 2

AND

1. The State of Andhra Pradesh, Rep. by the Station House Officer, Vontimitta Police Station, YSR Kadapa District., Rep. by the Public Prosecutor, High Court of Andhra Pradesh at Amaravathi.

...Respondent/Respondent

2. Mamidi Obula Konda Reddy, S/o.Late Pedda Obul Reddy, aged about 77 years, R/o.Gangaperuru Village, Vontimitta Mandal, YSR Kadapa District. Presently residing at Madhavaram Village, Vontimitta Mandal, YSR Kadapa District.

...Respondent/Defacto Complainant

Petition filed under Section 528 of BNSS, 2023 praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for records in CC.No.142 of 2023 on the file of the Judicial Magistrate of First Class, Sidhout, YSR Kadapa District, arising out of FIR No.61 of 2023 on the file of the Vontimitta Police Station, YSR Kadapa District, and quash the same.

IA NO: 1 OF 2025

Petition filed under Section 482 of Cr.P.C/Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Criminal Petition, the High Court may be pleased to stay of all further proceedings including appearance, execution of the Bailable Warrants against the petitioners in CC.No.142 of 2023 on the file of the Judicial Magistrate of First Class, Sidhout, YSR Kadapa District., arising out of FIR No.61 of 2023 on the file of the Vontimitta Police Station, YSR Kadapa District., pending disposal of CrI.P.No. of 2025, before this Court.

IA NO: 2 OF 2025

Between:

Mamidi Obula Konda Reddy, S/o.Late Pedda Obul Reddy, aged about 77 years, R/o.Gangaperuru Village, Vontimitta Mandal, YSR Kadapa District. Presently residing at Madhavaram Village, Vontimitta Mandal, YSR Kadapa District.

...Petitioner/2nd Respondent/Complainant

AND

1. Mamidi Naga Malleswara Reddy, S/o.Obula Konda Reddy, aged about 41 years, R/o.Gangaperuru Village, Vontimitta Mandal, YSR Kadapa District. Presently residing at Unit 1, 69 Penelope Lucas Lane, Rose Hill, New South Wales, Sydney, Australia - 2142.
2. Mamidi Chaitanya Vani, W/o.Mamidi Naga Malleswara Reddy, aged about 38 years, R/o.Gangaperuru Village, Vontimitta Mandal, YSR Kadapa District. Presently residing at Unit 1, 69 Penelope Lucas Lane, Rose Hill, New South Wales, Sydney, Australia - 2142.

...Respondents/Petitioners/Accused No.1&2

3. The State of Andhra Pradesh, Rep. by the Station House Officer, Vontimitta Police Station, YSR Kadapa District., Rep. by the Public Prosecutor, High Court of Andhra Pradesh at Amaravathi.

...Respondent/Respondent No.1

Petition filed under Section 482 R/w. 320(2) of Cr.P.C/528 R/w. Section 359(2) BNSS praying that in the circumstances stated in the Memorandum of Criminal Petition, the High Court may be pleased to permit the petitioner/2nd respondent/complainant to compromise the case with the 1st & 2nd respondents/petitioners/Accused No.1 & 2 by quashing the CC.No.142 of 2023 on the file of the Judicial Magistrate of First Class, Sidhout, YSR Kadapa District., arising out of FIR No.61 of 2023 on the file of the Vontimitta Police Station, YSR Kadapa District.

IA NO: 3 OF 2025

Between:

Mamidi Obula Konda Reddy, S/o.Late Pedda Obul Reddy, aged about 77 years, R/o.Gangaperuru Village, Vontimitta Mandal, YSR Kadapa

District. Presently residing at Madhavaram Village, Vontimitta Mandal, YSR Kadapa District.

**...Petitioner/2nd Respondent/Complainant
AND**

1. Mamidi Naga Malleswara Reddy, S/o.Obula Konda Reddy, aged about 41 years, R/o.Gangaperuru Village, Vontimitta Mandal, YSR Kadapa District. Presently residing at Unit 1, 69 Penelope Lucas Lane, Rose Hill, New South Wales, Sydney, Australia - 2142.
2. Mamidi Chaitanya Vani, W/o.Mamidi Naga Malleswara Reddy, aged about 38 years, R/o.Gangaperuru Village, Vontimitta Mandal, YSR Kadapa District. Presently residing at Unit 1, 69 Penelope Lucas Lane, Rose Hill, New South Wales, Sydney, Australia - 2142.

...Respondents/Petitioners/Accused No.1&2

3. The State of Andhra Pradesh, Rep. by the Station House Officer, Vontimitta Police Station, YSR Kadapa District., Rep. by the Public Prosecutor, High Court of Andhra Pradesh at Amaravathi.

...Respondent/Respondent No.1

Petition filed under Section 482 R/w. 320 (2)/528 R/w. Section 359(2) of Cr.P.C BNSS, 2023 praying that in the circumstances stated in the Memorandum of Criminal Petition, the High Court may be pleased to record compromise in CC.No.142 of 2023 on the file of the Judicial Magistrate of First Class, Sidhout, YSR Kadapa District., arising out of FIR No.61 of 2023 on the file of the Vontimitta Police Station, YSR Kadapa District., by quashing the same.

*Joint Compromise Memo enclosed (vide separate sheet)



Counsel for the Petitioners: Sri S.Dilip Jaya Ram

Counsel for the Respondent No.1: Assistant Public Prosecutor

Counsel for the Respondent No.2:Sri K.Naga Phanindra

The Court made the following:



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3396]
(Special Original Jurisdiction)**

TUESDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

**I.A.Nos.2 & 3 of 2025
In/and
CRIMINAL PETITION No. 5436/2025**

Between:

- 1.MAMIDI NAGA MALLESWARA REDDY, S/O.OBULA KONDA REDDY, AGED ABOUT 41 YEARS, R/O.GANGAPERURU VILLAGE, VONTIMITTA MANDAL, YSR KADAPA DISTRICT., PRESENTLY RESIDING AT UNIT 1, 69 PENELOPE LUCAS LANE, ROSE HILL, NEW SOUTH WALES, SYDNEY, AUSTRALIA - 2142.
- 2.MAMIDI CHAITANYA VANI, W/O.MAMIDI NAGA MALLESWARA REDDY, AGED ABOUT 38 YEARS, R/O.GANGAPERURU VILLAGE, VONTIMITTA MANDAL, YSR KADAPA DISTRICT., PRESENTLY RESIDING AT UNIT 1, 69 PENELOPE LUCAS LANE, ROSE HILL, NEW SOUTH WALES, SYDNEY, AUSTRALIA - 2142.

...PETITIONER/ACCUSED(S)

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY THE STATION HOUSE OFFICER, VONTIMITTA POLICE STATION, YSR KADAPA DISTRICT., REP. BY THE PUBLIC PROSECUTOR HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI.
- 2.MAMIDI OBULA KONDA REDDY, S/O.LATE PEDDA OBUL REDDY, AGED ABOUT 77 YEARS, R/O. GANGAPERURU VILLAGE, VONTIMITTA MANDAL, YSR KADAPA DISTRICT. PRESENTLY RESIDING AT MADHAVARAM VILLAGE, VONTIMITTA MANDAL, YSR KADAPA DISTRICT.

...RESPONDENT/COMPLAINANT(S):

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for records in CC.No.142 of 2023 on the file of the Judicial Magistrate of First Class, Sidhout, YSR Kadapa District., arising out of FIR No.61 of 2023 on the file

of the Vontimitta Police Station, YSR Kadapa District., and quash the same.

Counsel for the Petitioner/accused(S):

1.S DILIP JAYA RAM

Counsel for the Respondent/complainant(S):

1.PUBLIC PROSECUTOR

COMMON ORDER:

The instant Criminal Petition is filed by the Petitioners under Section 482 of the Code of Criminal Procedure, 1973 (For short 'Cr.P.C.') for the following relief:

" ... to call for records in CC.No.142 of 2023 on the file of the Judicial Magistrate of First Class, Sidhout, YSR Kadapa District, arising out of FIR No.61 of 2023 on the file of the Vontimitta Police Station, YSR Kadapa District, and quash the same ..."

2. IA.No.2 of 2025 is filed under Section 359(6) of BNS read with Section 482 of Cr.P.C. by the Petitioner/*de facto* Complainant seeking permission to compromise the matter with the respondents/Petitioners 1 and 2 by quashing CC No.142 2023 on the file of the Court of Judicial Magistrate of First Class, Sidhout, YSR Kadapa District.

3. IA No.3 of 2025 is filed under Section 320(2) Cr.P.C. read with 528 BNSS, 2023 requesting to record compromise the matter in CC No.142 2023 on the file of the Court of Judicial Magistrate of First Class, Sidhout, YSR Kadapa District.

4. Petitioner No.1/ A.1 & Respondent /*Defacto* Complainant in this Criminal Petition appeared through *online* and were identified by their respective

learned counsel. Copies of their Aadhar cards attested by their respective counsel are filed for proper identification.

5. Learned Assistant Public Prosecutor is in attendance.

6. Respondent No.2/ *De facto* Complainant is the father of Petitioner No.1/A.1. Petitioner No.1 is working as Software Engineer and went to Australia, working there for some time and later came back to India and again went to Australia on 13.04.2023. Petitioner No.2/A.2 is the daughter-in-law to respondent No.2. Respondent No.2 is now residing at Madhavaram. He had four daughters and one son and all are married. Due to family disputes and property disputes, Respondent No.2 filed a case in Crime No.61 of 2023 on the file of Vontimitta Police Station, YSR District under Section 24 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2017. Police after due investigation, filed charge sheet *vide* CC No.142 of 2023. Seeking quashment of the same, the Present Criminal Petition has been filed by Petitioners 1 and 2/A.1 and A.2.

7. At this juncture, the parties filed compromise petitions as stated supra stating that the matter is compromised between them and also filed a Joint Memo, which reveals that at the intervention of elders, the parties decided to settle the issue amicably and respondent No.2 agreed to withdraw the case against Petitioners 1 and 2 in CC No.142 of 2023.

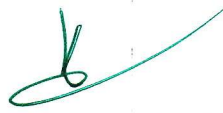
8. Respondent No.2 submitted that he has no issues with the Petitioners and they are taking care of him and he has no objection to record compromise in this matter.

9. Considering the submissions, in the interests of justice, I.A.Nos.2 and 3 of 2025 are allowed. Consequently, this Criminal Petition is allowed and the Proceedings against the Petitioners/A.1 and A.2 in CC No.142 2023 on the file of the Court of Judicial Magistrate of First Class, Sidhout, YSR Kadapa District, are hereby quashed.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

Sd/- K TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, Sidhout, YSR Kadapa District.
2. The Station House Officer, Vontimitta Police Station, YSR Kadapa District.
3. One CC to Sri S. Dilip Jaya Ram, Advocate [OPUC]
4. One CC to Sri K.Naga Phanindra, Advocate [OPUC]
5. Two CC's to the Public Prosecutor, High Court of Andhra Pradesh at Amaravati [OUT]
6. **Two CD Copies**

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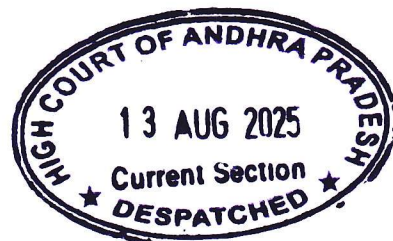
***Joint Compromise Memo enclosed (vide separate sheet)**

HIGH COURT

DATED:05/08/2025

COMMON ORDER

**I.A.Nos.2 & 3 of 2025 In/And
CRLP NO. 5436 OF 2025**



**I.A.Nos.2 and 3 of 2025 are ALLOWED
ALLOWING THE CRIMINAL PETITION**

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

I.A. NO

OF 2025

IN

CRL.P.NO. 5436 OF 2025.

Between:

Mamidi Obula Konda Reddy, S/o. Late Pedda Obul Reddy, Aged about 77 Years, R/o. Gangaperuru Village, Vontimitta Mandal, YSR Kadapa District. Presently residing at Madhavaram Village, Vontimitta Mandal, YSR Kadapa District.

...Petitioner/2nd Respondent/Complainant

AND

1. Mamidi Naga Malleswara Reddy, S/o. Obula Konda Reddy, Aged about 41 Years, R/o. Gangaperuru Village, Vontimitta Mandal, YSR Kadapa District., Presently Residing at Unit 1, 69 Penelope Lucas Lane, Rose Hill, New South Wales, Sydney, Australia – 2142.
2. Mamidi Chaitanya Vani, W/o. Mamidi Naga Malleswara Reddy, Aged about 38 years, R/o. Gangaperuru Village, Vontimitta Mandal, YSR Kadapa District., Presently Residing at Unit 1, 69 Penelope Lucas Lane, Rose Hill, New South Wales, Sydney, Australia – 2142.

... Respondents/Petitioners/Accused No.1 & 2

3. The State of Andhra Pradesh,
Rep. by the Station House Officer,
Vontimitta Police Station, YSR Kadapa District.,
Rep. by the Public Prosecutor
High Court of Andhra Pradesh at Amaravathi.

... Respondent/Respondent No.1

JOINT MEMO

1. It is submitted that the 1st & 2nd Respondents/Petitioners/Accused No.1 & 2 along Another is being prosecuted in FIR No.61 of 2023 on the file of the Vontimitta Police

Station, YSR Kadapa District., filed by the Petitioner/2nd Respondent/Complainant for the alleged offences under seeking reliefs under Section 24 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

2. It is submitted that the 1st & 2nd Respondents/Petitioners/Accused No.1 & 2 are wife and husband and the Petitioner/2nd Respondent/Complainant is father of the 1st Respondent/Petitioner/Accused No.1 and father-in-law of the 2nd Respondent/Petitioner/Accused No.2

3. It is submitted that the Petitioner/2nd Respondent/Complainant herein filed the complaint under the Act, 2007 stating that he was neglected by the 1st & 2nd Respondents/Petitioners/Accused No.1 & 2 and are not looking after him and sought for doing justice. Accordingly, the 3rd Respondent filed Charge Sheet showing the 1st & 2nd Respondents/Petitioners/Accused No.1 & 2 as absconding and the same was taken on file vide CC.No.142 of 2023 on the file of the Judicial Magistrate of First Class, Sidhout, YSR Kadapa District., and issued summons against Accused No.3 and Bailable Warrants were issued.

4. It is submitted that while things stood thus, at the intervention of elders and well-wishers of the Petitioner/2nd Respondent/Complainant and 1st & 2nd Respondents/Petitioners/Accused No.1 & 2 decided to settle the issues amicably. In view of the same the Petitioner/2nd Respondent/Complainant agreed to withdraw the aforesaid report lodged against the 1st & 2nd Respondents/Petitioners/Accused No.1 & 2 pending as CC.No.142 of 2023 on the file of the Judicial

Magistrate of First Class, Sidhout, YSR Kadapa District., arising out of FIR No.61 of 2023 on the file of the Vontimitta Police Station, YSR Kadapa District.

5. It is further submitted that in view of the facts mentioned supra the Petitioner/2nd Respondent/Complainant humbly submits that continuation of Criminal Proceedings would cause great hardship. It is also submitted that the Petitioner/2nd Respondent/Complainant filed his affidavit stating that he has no objection to quash the same by recording the compromise effected between them. The Petitioner/2nd Respondent/Complainant and the 1st & 2nd Respondents/Petitioners/Accused No.1 & 2 filed petitions to compound the offences by quash the pending proceedings against them. Unless, this Hon'ble Court interfere and permit them to compound the offences, they would be put to great hardship.

6. In the above circumstances, both the parties have approached this Hon'ble Court to quash the proceedings in CC.No.142 of 2023 on the file of the Judicial Magistrate of First Class, Sidhout, YSR Kadapa District., arising out of FIR No.61 of 2023 on the file of the Vontimitta Police Station, YSR Kadapa District. Hence, the present joint memo.

M. G. Lakshminarayana Reddy
Petitioner/2nd Respondent/
Complainant

M.N. Mallewar Reddy
M. Chaitanya Vani
1st & 2nd Respondents/Petitioners/
Accused No.1 & 2


Counsel for the Petitioner/2nd Respondent /Complainant


Counsel for the 1st & 2nd Respondents/Petitioners/Accused No.1 & 2