

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

THURSDAY, THE TWENTY SEVENTH DAY OF JUNE,

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI

IA No. 2 OF 2024

IN

CRLP NO: 4268 OF 2024



Between:

1. Sappa Govinda Rao, W/o Paidiyya, Aged about 60 years, R/o Ganapavaram Village and Mandal, West Godavari District.(A-1)
2. Bhusarapu Sai Satyanarayana, S/o Simhadri, Aged about 59 years, R/o D.No. 13-19/3, Ward No 16, Gunupudi, Bhimavaram, West Godavari District. (A-2)
3. Koyyani Suryanarayana, S/o Appalaswamy, Aged about 69 years, R/o Nachuvari center. Near Kapu Kalyana Mandapam, Bhimavaram West Godavari District. (A-5)

...Petitioners/Accused No.1, 2 & 5

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of A.P. Amaravathi.

...Respondent No.1

2. Gokaraju Srinivasarao, S/o Peddi Raju, Aged about 46 years, R/o Ganapavaram Village and Mandal, West Godavari District.

... Complainant /Respondent No.2

Counsel for the Petitioner : Sri T V Jaggi Reddy

Counsel for the Respondent No.1 : Assistant Public Prosecutor

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 stay of all further proceedings including the appearance of the petitioners/A-1, 2 & 5, in C.C.No.273 of 2020, on the file of the Additional Judicial Magistrate of First Class, Tadepalligudem, West Godavari District, Pending disposal of CRLP No. 4268 of 2024, 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 (The receipt of this order will be deemed to be the receipt of notice in the case)

ORDER:

“Heard Sri T.V.Jaggi Reddy, learned counsel for the petitioners/A1, A2 and A5 and learned Assistant Public Prosecutor for respondent No.1/State.

Learned counsel for the petitioners/A1, A2 and A5 would submit that C.C.No.273 of 2020, on the file of the Additional Judicial First Class Magistrate, Tadepalligudem, is pending for trial and unofficial respondent filed a private complaint before the learned Magistrate and it was referred to police under Section 156(3) Cr.P.C. Learned police filed charge sheet and it was registered as C.C.No.273 of 2020.

He would further submit that the dispute involved in the case pertains to civil matter basing on O.S.No.117 of 2017 on the file of Principal District Judge, Eluru at West Godavari filed by the 2nd respondent and other creditors to cancel sale deed dated 17.10.2012 executed by the Court in pursuance of another Specific Performance Suit in O.S.No.135 of 2011 on the file of the VII Additional District Judge, West Godavari at Eluru filed by the A2 against A1 and the proceedings in C.C. No. 273 of 2020 are abuse of the process and therefore, petitioner filed Criminal Petition to quash the proceedings.

Considering the said circumstances, there shall be an interim stay of the proceedings in C.C.No.273 of 2020, on the file of the Additional Judicial First Class Magistrate, Tadepalligudem for a period of twelve (12) weeks.”

Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR


SECTION OFFICER

//TRUE COPY//

For ,

To,

1. The Additional Judicial First Class Magistrate, Tadepalligudem.
2. The VII Additional District Judge, West Godavari at Eluru.
3. Gokaraju Srinivasarao, S/o Peddi Raju, Aged about 46 years, R/o Ganapavaram Village and Mandal, West Godavari District. (by RPAD)
4. One CC to Sri T V Jaggi Reddy, Advocate [OPUC]
5. Two CCs to Public Prosecutor (AP) High Court of Andhra Pradesh [OUT]
6. **One spare copy**

CVSS



HIGH COURT

BVLNC,J

DATED:27/06/2024

LIST THE MATTER AFTER EIGHT (8) WEEKS.

ORDER

IA No. 2 OF 2024

IN

CRLP NO: 4268 OF 2024

INTERIM STAY

