

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI



IA No. 2 OF 2021

IN

CRLP NO: 4428 OF 2021

Between:

1. Saragada Rama Kasu, S/o. Bododu, aged about 28 years, Caste. Reddika, R/o. Gudepuvalasa Village, Bhogapuram Mandal, Vizianagaram District.
2. Seerapu Appalanarasayya, S/o. Narisamma, aged about 30 years, Caste. Reddika, R/o. Reddy Kancheru Village, Bhogapuram Mandal, Vizianagaram District.
3. Byreddy Durga Rao, S/o. Ramula Bangari, aged about 23 years, Caste. Reddika, R/o. Reddy Kancheru Village, Bhogapuram Mandal, Vizianagaram District.
4. Ippili Krishna Rao, S/o. Annarao, aged about 41 years, Caste. Kapu, R/o. Gudepuvalasa Village, Bhogapuram Mandal, Vizianagaram District.

...Petitioners/Accused Nos.1 to 4

AND

1. The State of Andhra Pradesh, rep. by its Public Prosecutor, High Court at Amaravati.

...1st Respondent

2. Sri M.Venkata Rao, Prohibition & Excise Inspector (SEB), Bhogapuram, Vizianagaram District.

...2nd Respondent/Complainant

Counsel for the Petitioners : SRI RAMAKRISHNA PATIVADA

Counsel for the Respondent No.1 :PUBLIC PROSECUTOR

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed in Criminal Petition, the High Court may be pleased to stay all further proceedings in F.I.R. No.06 of 2021 on the file of the Prohibition & Excise Station (SEB), Bhogapuram, against the Petitioners/Accused Nos.1 to 4, pending disposal of CRLP No. 4428 of 2021, 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 order.(The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following;

ORDER:

“This petition is filed for stay of all further proceedings in F.I.R No.6 of 2021 on the file of Prohibition & Excise Station (SEB), Bhogapuram, Vizianagaram District.

Learned counsel for the petitioners submits that as per amendment Act 17 of 2020 to the Andhra Pradesh Excise Act, 1968, Section 53-A was amended, wherein after the words “Police and Revenue”, the words “and Department of Gram Volunteers/Ward Volunteers and Village Secretariats/Ward Secretariats” were inserted. He submits that the incident happened in Reddi Kancheru village but the mediators report was prepared in the presence of V.R.O, Bhogapuram, who is allegedly present during the inspection on 30.01.2021. He submits that the proceedings conducted by the police are contrary to Section 53-A of the Act, on this aspect the petitioners sought quashment of F.I.R.

Taking into consideration amendment to Section 53-A of the Act, there shall be stay of all further proceedings in F.I.R No.6 of 2021 on the file of Prohibition & Excise Station (SEB), Bhogapuram, Vizianagaram District."

Sd/- G.HELIA NAIDU
ASSISATNT REGISTRAR

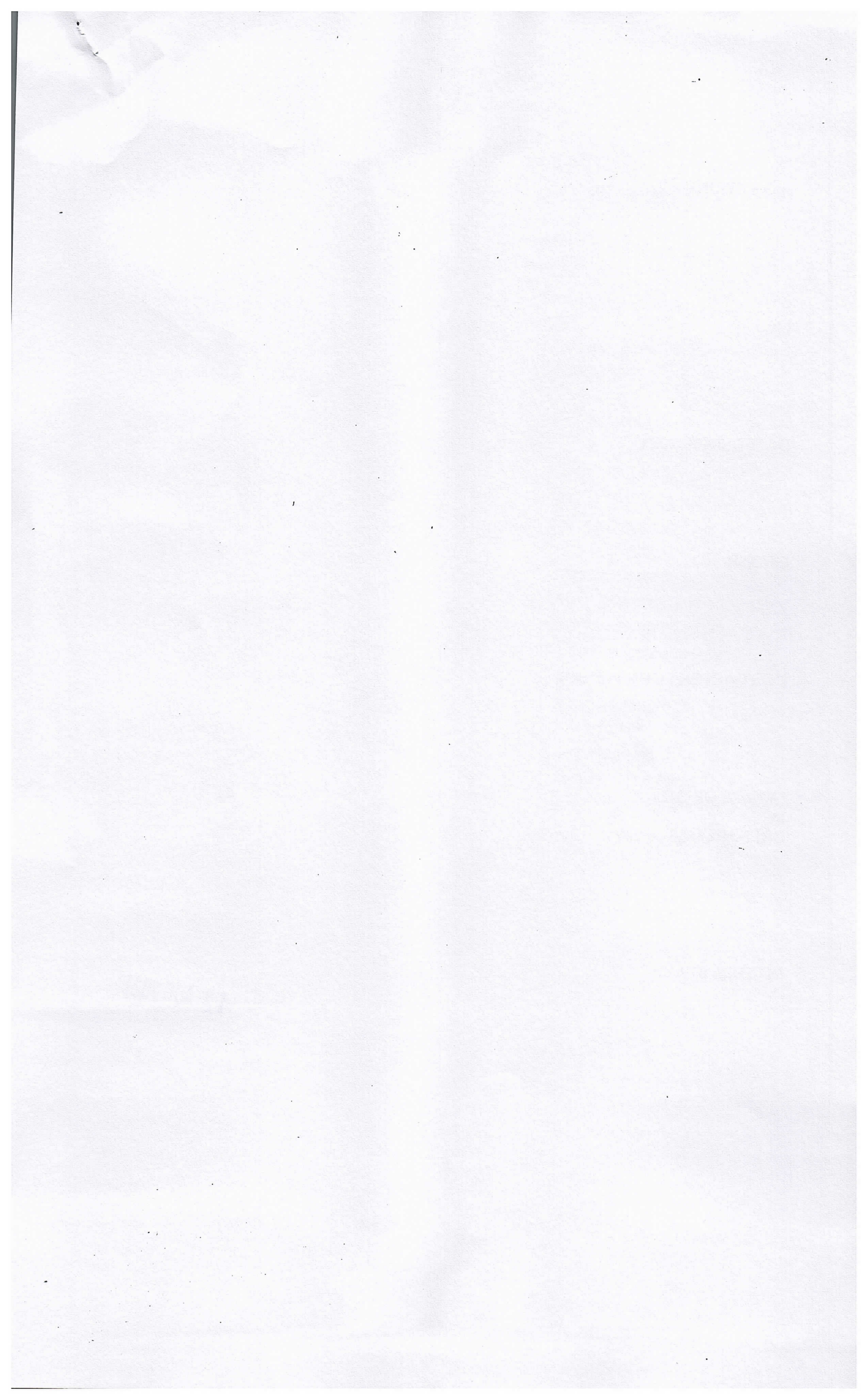
//TRUE COPY//

For SECTION OFFICER

To,

1. The Station House Officer, Prohibition & Excise Station (SEB), Bhogapuram, Vizianagaram District.
2. Sri M.Venkata Rao, Prohibition & Excise Inspector (SEB), Bhogapuram, Vizianagaram District. (By RPAD)
3. One CC to M/s. Ramakrishna Pativada, Advocate [OPUC] ✓
4. Two CCs to Public Prosecutor, High Court of AP [OUT] ✓
5. One spare copy.

MSB



HIGH COURT

LK,J

DATED:06/08/2021

ORDER

POST AFTER FOUR WEEKS

IA No. 2 OF 2021
IN
CRLP.No.4428 of 2021

INTERIM STAY

