

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY



IA No. 2 OF 2021

IN

CRLP NO: 5118 OF 2021

Between:

P.Sailaja, W/o. P Krishna Prasad, aged about 31 years, Occ.House wife, R/o 1-9-295/32/5, Flot No.202, Sitarama Nilayam street No.7, Masid Lane Vidyanagar, Museerabad, New Nallakunta - Hyderabad-44, Telangana state.

...Petitioner/Accused No.4

AND

1. The State of Andhra Pradesh, rep. by the Public Prosecutor, High Court of A.P at Amaravati, Through SHO, Women Police Station, Visakhapatnam City, Visakhapatnam District.

...Complainant/Respondent

2. Pillala Roshini, W/o Dileep Kumar, R/o D.No.32-10-16, Gajuwaka, Venkateswara Colony, Visakhapatnam City, Visakhapatnam District..

...Defacto -Complainant/ Respondent

Counsel for the Petitioner :M/s.TOTA TEJESWARA RAO

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 of all further proceedings in Crime.No. 379 of 2021 on the file of Women Police Station, Visakhapatnam City, Visakhapatnam District, pending disposal of CRLP No.5118 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:

"Having regard to the allegations set out in the F.I.R, this Court is of the considered view that investigation shall go on to find out the truth or otherwise of the allegations ascribed in the F.I.R and the investigation cannot be interdicted.

However, as the offences registered against the petitioner are punishable with less than seven (07) years period of imprisonment, the Investigating Officer shall follow the procedure contemplated under Section 41A Cr.P.C and the guidelines prescribed by the Apex Court in Arnesh Kumar v. State of Bihar and another¹ case."

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

Fr

SECTION OFFICER

To,

1. The Station House Officer, Women Police Station, Visakhapatnam City, Visakhapatnam District.
2. Pillala Roshini, W/o Dileep Kumar, R/o D.No.32-10-16, Gajuwaka, Venkateswara Colony, Visakhapatnam City, Visakhapatnam District.(by RPAD)
3. One CC to M/s. Tota Tejeswara Rao, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy.

MSB

HIGH COURT

CMR,J

DATED:09/09/2021

ORDER

**IA No. 2 OF 2021
IN
CRLP.No.5118 of 2021**

DIRECTION

