



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE EIGHTH DAY OF AUGUST,

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI

IA No. 2 OF 2024

IN

CRLP NO: 5515 OF 2024

Between:

1. Uppada Raja Raja Narendra, S/o Late Venu Gopal, aged about 33 years, R/o R2-g-53, flat no 102 UG, Mandir Marg Mahavir Enclave, Bengali Colony, Palam Village, South West Delhi, Delhi, Pincod-110045, Ph. No-7011125548.
2. Uppada Nagamani, W/o Late Venu Gopal, aged about 57 years, R/o R2-g-53, flat no 102 UG, Mandir Marg Mahavir Enclave, Bengali Colony, Palam Village, South West Delhi, Delhi, Pincod-110045.
3. Uppada Usha Priya, D/o Late Venu Gopal, aged about 27 years, R/o R2-g-53, flat no 102 UG, Mandir Marg Mahavir Enclave, Bengali Colony, Palam Village, South West Delhi, Delhi, Pincod-110045, Ph. No-9999646139.
4. Dhavala Anupama, W/o Naresh, aged about 33 years, R/o 104, Navy Quarters, Visakhapatnam Commissionerate, Andhra Pradesh, Ph. No-9716680502.
5. Dhavala Naresh, W/o Dhavala Bharati, aged about 37 years, R/o 104, Navy Quarters, Visakhapatnam Commissionerate, Andhra Pradesh, Ph. No-9493939378.

...Petitioners/Accused No.1 to 5

(Petitioner in CRLP 5515 OF 2024

on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Andhra Pradesh at Amaravati.
2. Smt. Uppada Sukanya, W/o U.Raja Raja Narendra, aged 27 years, Caste by Kalinga, r/o D.No.8-86/2, Gokuldham colony, Purushottapuram, Visakhapatnam City

...Respondents/Complainant

(Respondents in-do-)

Counsel for the Petitioners : SRI VAKA RAMA KRISHNA

Counsel for the Respondent No.1: PUBLIC PROSECUTOR

— Petition under Section 482 of Cr.P.C (Under Section 528 of BNSS) is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to grant interim stay of all further proceedings including appearance of the Petitioners/Accused No.1 to 5 in Crime No.46 of 2024 on the file of Disha Urban Police Station, Visakhapatnam, pending disposal of CRLP No.5515 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 order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

“Heard learned counsel for the petitioners.

Learned counsel for the petitioners would submit that the alleged offence under Section 498-A read with 34 of Indian Penal Code and Section 3 and 4 of Dowry Prohibition Act which are punishable less than seven years imprisonment.

Considering the facts and circumstances of the case, the police are directed to follow the procedure under Section 41A of Criminal Procedure Code, as directed by the Hon’ble Apex Court in Arnesh

Kumar Vs. State of Bihar and another^{1's} ((2014) 8 SCC 273) case, subject to condition that if there is no change in the offence as stood on the day."

Sd/- B.Chitti Joseph
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Station House Officer, Disha Urban Police Station, Visakhapatnam
2. Smt. Uppada Sukanya, W/o U.Raja Raja Narendra, R/o D.No.8-86/2, Gokuldham colony, Purushottapuram, Visakhapatnam City. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to Sri. Vaka Rama Krishna, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

MM

HIGH COURT

BVLNC,J

DATED:08/08/2024

LIST THE MATTER ON 19.09.2024

ORDER

IA.No.2 OF 2024
IN
CRLP.No.5515 of 2024

INTERIM STAY

