

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.1 OF 2024

IN

CRIMINAL PETITION NO: 5497 OF 2024

Between:

1. Momin Nazeeruddin, S/o. Momin Khaja Zahiruddeen, Aged about 29 years, Muslim, doing Private Job, H.No.22-51, Kothapeta, Atmakur Post and Mandal, Nandyal District Andhra Pradesh, PIN 518422. (A1)
2. Momin Ashaparvin, W/o. Momin Khaja Zahiruddeen, Muslim, Housewife, Aged about 50 years, R/o. H.No.22-51, Kothapeta, Atmakur Post and Mandal, Nandyal District, Andhra Pradesh, PIN 518422. (A2)
3. Momin Khaja Zahiruddeen, S/o. Momin Murthuja Aged about 62 years, Muslim, R/o. H.No.22-51, Kothapeta, Atmakur Post and Mandal, Nandyal District, Andhra Pradesh. (A3)
4. U.Asma, W/o. U. Ummar Ali, Muslim, House wife, H.No.22-51/1, Kothapeta, Atmakur Post and Mandal, Nandyal District, Andhra Pradesh, PIN 518422. (A4)
5. M. Farhad, D/o. M.K. Zahiruddeen, Muslim, H.No.22-51/A, Kothapeta, Atmakur Post and Mandal, Nandyal District, Andhra Pradesh, PIN 518422. (A5)

Petitioners/Accused

AND

1. State of Andhra Pradesh, Represented by its Public Prosecutor, High Court Buildings, Amaravati, Through Atmakur PS, Nandyal District.

1st Respondent/Complainant



2. Sheik Kowsar, W/o. S. Nazeeruddin, Aged about 25 years, R/o. Kothapeta, Atmakur Town (Post and Mandal), Nandyal District, and Andhra Pradesh.

2nd Respondent/de-facto Complainant

Counter for the Petitioners: Sri HARANADHA RAJU KATTA

Counsel for the Respondent No.1: PUBLIC PROSECUTOR

Petition under Section 482 of Cr.P.C (NEW SECTION 528 OF BNSS, 2023) is filed 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 all further proceedings in C.C. No. 804 of 2023 on the file of Judicial First Class Magistrate at Atmakur, Nandyal District, against the petitioners/Accused, pending disposal of CRLP No. 5497 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 petitioners/A.1 to A.5 in the case are husband and in-laws of defacto complainant and the defacto complainant falsely implicated the petitioners in this case only to harass them.

Considering the facts and circumstances of the case, only the presence of the petitioners/A.2 to A.5 in the proceedings before the learned Judicial Magistrate of First Class, Atmakur in C.C.No.804 of 2023 is dispensed with, except on the dates as directed by the learned Magistrate."

Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

For


SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, Atmakur.
2. Sheik Kowsar, W/o. S. Nazeeruddin, Aged about 25 years, R/o. Kothapeta, Atmakur Town (Post and Mandal), Nandyal District, and Andhra Pradesh. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to Sri HARANADHA RAJU KATTA Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh. [OUT]
5. One spare copy

ER

HIGH COURT

BVLNC, J

DATED:08/08/2024

LIST THE MATTER ON 19.09.2024

ORDER

IA NO.1 OF 2024

IN

CRLP.No.5497 of 2024

DIRECTION

