

(SHOW CAUSE NOTICE BEFORE ADMISSION) ✓
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE SEVENTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE ✓

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY ✓
CRIMINAL PETITION NO: 4918 OF 2023 ✓



Between:

Chinthakunta Lakshmi Reddy, S/o Pedda Rami Reddy, aged about 54 years, R/o Kummarapalli Vilalge, Ramapuram Mandal, Presently residing at D.No.18/2/262-11A, Abban Colony, Tirupati Town.

Petitioner/Accused ✓

AND

1. The State Of Andhra Pradesh, through SHO, Ramapuram PS, Annamayya District (Previously in YSR Kadapa District), rep by Public Prosecutor, High Court at Amaravati.
2. Thathi Reddy. Pradeep Kumar Reddy, S/o Sadasiva Reddy, R/o Kummarapalle Village, Ramapuram Mandal, YSR Kadapa District.

Respondent/Defacto Complainant ✓

WHEREAS the Petitioner/Accused above named through his Advocate Sri J Ugranarasimha presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to quash the proceedings in C.C.No.225 of 2022 on the file of the Court of the Judicial First Class Magistrate, Lakkireddipalle, Annamayya District (previously in YSR Kadapa District)

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri J Ugranarasimha Advocate for the Petitioner, Assistant Public Prosecutor for the Respondent No.1, directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Thathi Reddy. Pradeep Kumar Reddy, S/o Sadasiva Reddy, R/o Kummarapalle Village, Ramapuram Mandal, YSR Kadapa District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted within six weeks.

IA NO: 1 OF 2023

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 all further proceedings in C.C.No.225 of 2022 on the file of the Court of the Judicial First Class Magistrate, Lakkireddipalle, Annamayya District (previously in YSR Kadapa District), including appearance of the petitioner, pending disposal of CRLP No. 4918 of 2023, on the file of the High Court.

The Court made the following order :

"Learned Assistant Public Prosecutor takes notice on behalf of 1st Respondent and seeks time to get instructions.

Issue notice to Respondent No.2.

Learned counsel for the petitioner is permitted to take out personal notice to Respondent No.2 by Registered Post with Acknowledgment Due and file proof of service within a period of three (3) weeks.

The accusation as against the petitioner herein is that the defacto complainant agreed to pay an amount of Rs.24,75,000/- in order to purchase a land to an extent of Ac.1-50 cents in Sy.No.729/1 in Bandapalli Village belonging to petitioner. Out of the said amount, Rs.6,19,000/- was paid and an agreement has been made between the defacto complainant and accused that land would be registered in the name of defacto complainant once the entire amount has been paid. After lapse of few months, the defacto complainant got the land surveyed and came to know that there is only Ac.0-96 cents of land available in Sy.No.729/1. In connection with that, the present case has been registered.

Learned counsel for the petitioner has categorically submits that the S.H.O, Ramapuram PS, in pursuant to the registration of case has addressed a letter to the Tahsildar, Ramapuram Mandal, with a request to enquire about the shortage of said land, on which, the Tashildar, conducted enquiry and vide Ref. No.A/200/2022, dated 05.07.2022 addressed a letter to SHO stating that in Sy.No.729-1 under Katha No.877, the land is to an extent of Ac.1-50 cents.

Even going by the accusations that contained in the charge sheet, the issue between both the parties predominately appears to be civil in nature.

In view of the above facts and circumstances, there shall be stay of all further proceedings in C.C.No.225 of 2022 on the file of the learned Judicial Magistrate of First Class, Lakkireddipalle, for a period of eight (8) weeks.

Post after six (6) weeks."

//TRUE COPY//

For /

Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate, Lakkireddipalle ✓
2. The SHO, Ramapuram PS, Annamayya District (Previously in YSR Kadapa District)
3. Thathi Reddy. Pradeep Kumar Reddy, S/o Sadasiva Reddy, R/o Kummarapalle Village, Ramapuram Mandal, YSR Kadapa District. (by RPAD- along with a copy of petition and memorandum of grounds) ✓
4. One CC to Sri J Ugranarasimha Advocate [OPUC] ✓
5. Two CCs to Public Prosecutor, High Court of AP [OUT] ✓
6. One spare copy

RVK

HIGH COURT

SRKJ

DATED:17/07/2023

POST AFTER SIX (6) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.4918 of 2023

STAY

