

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**TUESDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY**

:PRESENT:

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY



IA No. 2 OF 2020

IN

CRLP NO: 5656 OF 2020

Between:

1. S. Meeraj Ahammed, S/o S. Rasool Miah, Aged 57 years, R/o H.No.76/97/163/8, Weaker Section Colony, Ulachala Road, Near Bellary Chowrastha, Kurnool Town and District.
2. S. Mahammed Abdulla, S/o S. Meeraj Ahammed, Aged 28 years, R/o H.No.76/97/163/8, Weaker Section Colony, Ulachala Road, Near Bellary Chowrastha, Kurnool Town and District.
3. S. Mahammed Abdul Samad, S/o S. Rasool Miah, Aged 26 years, R/o H.No.76/97/ 163/8, Weaker Section Colony, Ulachala Road, Near Bellary Chowrastha, Kurnool Town and District.

...Petitioner/Accused No.1 to 3

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court, Amaravathi. Though the SHO, Town Police Station, Kurnool, Kurnool District.
2. Dr. G. Abdul Khaliq, S/o Md. Ibrahim, aged 72 years, Occ Retd. Employee, R/o H.No.43/253/J.19, Second Floor, Sankal Bagh, N.R. Peta, Kurnool Town and District.

...Respondents

Counsel for the Petitioner : SRI J RAJESWAR

Counsel for the Respondent No.1: PUBLIC PROSECUTOR

Petition under Section 482 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 grant stay of all further proceedings including appearance of the petitioners/accused in C.C.No.159/2017 on the file of the Hon'ble Judicial Magistrate of First Class, Special Mobile Court, Kurnool, pending disposal of the Criminal Petition and to pass Pending disposal of CRLP No. 5656 of 2020, 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:

"As the petitioners are claiming title over the property in question and as it stated that the civil dispute is now converted into a criminal case, the matter requires examination in the main criminal petition to ascertain whether the launching of criminal prosecution against the petitioners in the facts and circumstances of the case tantamount to abuse of process of law or not.

Therefore, in the said facts and circumstances of the case, there shall be a direction to the Investigating Officer not to take any coercive steps against the petitioners till the next date of hearing, while allowing the investigation to go on."

**Sd/-V.Savitramma
/ ASSISTANT REGISTRAR**

//TRUE COPY//

For A SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, Special Mobile Court, Kurnool.
2. The Station House Officer, Town Police Station, Kurnool, Kurnool District.
3. Dr. G. Abdul Khaliq, S/o Md. Ibrahim, aged 72 years, Occ Retd. Employee, R/o H.No.43/253/J.19, Second Floor, Sankal Bagh, N.R. Peta, Kurnool Town and District. (by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to Sri. J Rajeswar, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP. [OUT]
6. One spare copy.

MSB

HIGH COURT

CMR,J

DATED:15/12/2020

ORDER

**IA No. 2 OF 2020
IN**

CRLP.No.5656 of 2020

INTERIM DIRECTION

11 JAN 2021