

[3327]

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY, THE SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 5550 OF 2023

Between:

1. Sirigireddi Buchireddigari Veerabhadra Reddy (A1), S/o.S.Sambasiva Reddy Aged 38 years, Occ.Software Engineer R/o.Bangalore, Karnataka State
2. Sirigireddi Buchireddigari Sambasiva Reddy, (A-2) S/o.Jangam Reddy Aged 70 years R/o.Door- No.39/444 Aravinda Nagar, Kadapa City YSR Kadapa District, Andhra Pradesh
3. Sirigireddi Buchireddigari Savithramma, (A-3) W/o.Sambasiva Reddy Aged 65 years, R/o.Door No.39/444 Aravinda Nagar, Kadapa City YSR Kadapa District, Andhra Pradesh

Petitioners/Accused 1 to 3

AND

1. The State Of Andhra Pradesh, Rep.by public prosecutor, High Court of AP, Amaravathi
2. Sirigireddi Buchireddigari Sangeetha Lakshmi, W/o.Veerabhadra Reddy Aged 32 years, R/o.D.No.10/8 Somapalle, Mamillapalle, C.K.Dinne Mandal, YSR Kadapa District Andhra Pradesh.

Respondents

WHEREAS the Petitioners/Accused above named through their Advocate Sri D Kodandarami Reddy 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.389/2020 on the file of the Special Judicial Magistrate of First Class for Prohibition and Excise Offences, Kadapa, YSR Kadapa District, Andhra Pradesh

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri D Kodandarami Reddy Advocate for the Petitioner, Special Assistant Public Prosecutor for 1st Respondent, 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:

Sirigireddi Buchireddigari Sangeetha Lakshmi, W/o.Veerabhadra Reddy Aged 32 years, R/o.D.No.10/8 Somapalle, Mamillapalle, C.K.Dinne Mandal, YSR Kadapa District Andhra Pradesh.

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 four 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.389/2020 on the file of the Special Judicial Magistrate of First Class for Prohibition and Excise Offences, Kadapa, YSR Kadapa District, Andhra Pradesh, pending disposal of CRLP No. 5550 of 2023, on the file of the High Court.

The Court made the following order :

“Learned Special 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 petitioners 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.

1st petitioner herein filed FCOP No.49 of 2020 on the file of the learned Family Court, Kadapa under Section 13(1)(i)(i.a) of the Hindu Marriage Act for dissolution of marriage on the ground of adultery. On filing the petition for decree of divorce by dissolution of marriage, the 2nd respondent herein has resorted in filing the present complaint as a counter blast to the FCOP which was filed by the 1st petitioner herein. The facts and circumstances of the above case would squarely come within the purview of *State of Haryana Vs. Ch.Bhajanlal and ors.*¹ case.

In view of the aforesaid facts and circumstances, there shall be an interim stay of all further proceedings, in C.C.No.389 of 2020 on the file of the learned Special Judicial Magistrate of First Class, Kadapa, for a period of six (6) weeks.

Post after four (4) weeks.”

//TRUE COPY//

**Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR**

SECTION OFFICER

For Assistant Registrar

To,

1. The Special Judicial Magistrate of First Class for Prohibition and Excise Offences, Kadapa, YSR Kadapa District, Andhra Pradesh
2. The S.H.O, Khajipeta P.S
3. Sirigireddi Buchireddigari Sangeetha Lakshmi, W/o.Veerabhadra Reddy Aged 32 years, R/o.D.No.10/8 Somapalle, Mamillapalle, C.K.Dinne Mandal, YSR Kadapa District Andhra Pradesh. (by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to Sri D Kodandarami Reddy Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy

RVK

HIGH COURT

SRKJ

DATED:02/08/2023

POST AFTER FOUR (4) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.5550 of 2023

INTERIM STAY

