

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY



IA No. 1 OF 2021

IN

CRLP NO: 5803 OF 2021

Between:

1. Pujari Nagaraju, S/o. Venaiah, Aged 27 years,
2. Pujari Masthanamma, W/o. Venaiah, Aged 48 years,
3. Pujari Venaiah, S/o. Ragaiah, Aged 50 years,
4. Pujari Venkataramanaiah, S/o. Venaiah Aged 25 years

The petitioners 1 to 4 are residing in Vendurupadu Village, Tada Mandal, SPSR Nellore District.

...Petitioners/Petitioners

AND

1. Pujari Bharathi, W/o. Nagaraju, Aged 23 years, R/o. Pedda Padava Village, Sullurupet Mandal, SPSR Neltore District.

...Respondent/Respondent

2. The State of Andhra Pradesh, Rep by its Public Prosecutor, High Court Bldgs, Amaravati.

...Respondent

Counsel for the Petitioners : SRI T C KRISHNAN

Counsel for the Respondent No.2 : PUBLIC PROSECUTOR

Petition under Section 482 of 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 in Crime No. 247/2021 before P.S. Disha Women Police Station, SPSR Nellore District for the offences under Sections 498-A IPC & U/Sec 3 & 4 of DP Act, pending disposal of CRLP No.5803 of 2021, 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:

“The petitioners are A-1 to A-4 in Crime No.247 of 2021 of Disha Women Police Station, SPSR Nellore District. The 1st petitioner is the husband of the 1st respondent, who is the de facto complainant. The petitioners 2 to 4 are the parents and brother of A-1. On a report lodged by the de facto complainant that she was subjected to cruelty by the petitioners, a case under Section 498A of I.P.C. and under Sections 3 and 4 of the D.P. Act was registered against the petitioners.

The petitioners sought quash of the said F.I.R. mainly on the ground that the de facto complainant is an employee and she has indulged in having extra marital life with a co-employee in her office and their illegal intimacy was also recorded in CCTV camera and after obtaining footage of CCTV cameras, when the 1st petitioner, who is the husband, questioned the de facto complainant regarding her extra marital affair with her co-employee, that she lodged this report against him and his family members to harass them.

Learned counsel for the petitioners has also produced the said CCTV footages which prima facie establish that the de facto complainant has been involved in some illegal affair with her co-employee. So, he would submit that after the de facto complainant was questioned by A-1 regarding her conduct in this regard, that they were falsely implicated in this case with all false allegations.

Therefore, from the evidence which is produced before this Court, the petitioners could establish strong prima facie case to examine in the main criminal petition whether the launching of criminal prosecution against the petitioners in the given facts and circumstances of the case is legally sustainable or not and whether the F.I.R. registered against them is liable to be quashed or not as it is stated that the same is maliciously initiated against the petitioners.

Therefore, in the said facts and circumstances of the case, there shall be interim stay of further proceedings and the investigation pursuant to registration of F.I.R. in Crime No.247 of 2021 of Disha Women Police Station, SPSR Nellore District, including arrest of the petitioners, till the next date of hearing."

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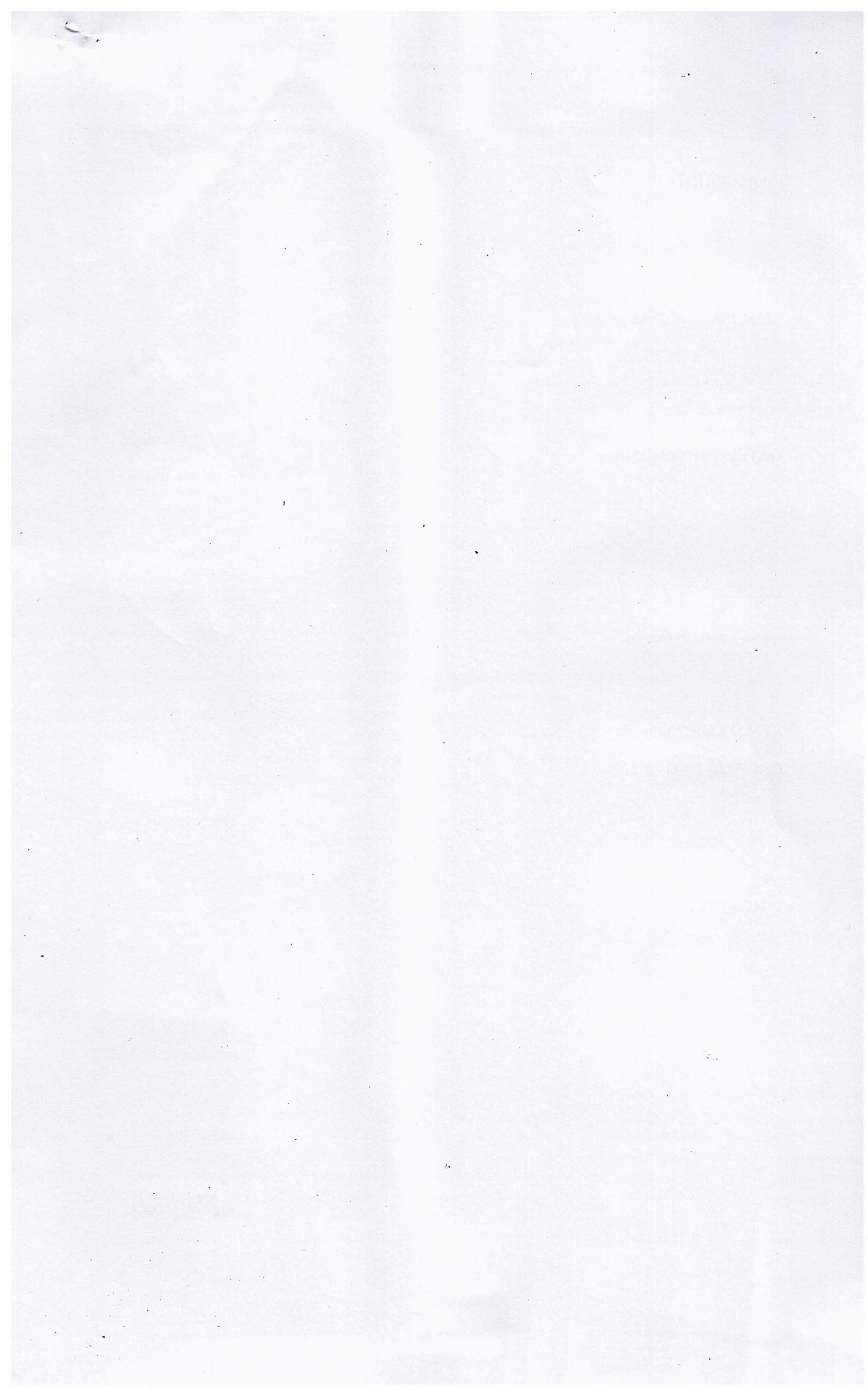
Sd/-K.TataRao
ASSISTANT REGISTRAR

SECTION OFFICER
For ASSISTANT REGISTRAR

To,

1. The Station House Officer, Disha Women Police Station, SPSR Nellore District.
2. Pujari Bharathi, W/o. Nagaraju, R/o. Pedda Padava Village, Sullurupet Mandal, SPSR Neltore District. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to Sri. T C Krishnan, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy.

MSB





HIGH COURT

CMR,J

DATED:26/10/2021

ORDER

IA No. 1 OF 2021
IN
CRLP.No.5803 of 2021

DIRECTION

