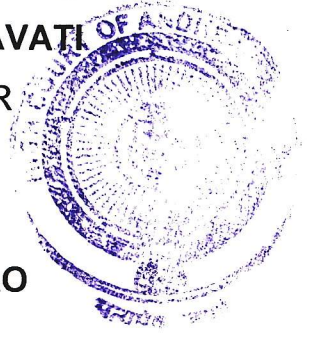


[3521]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE TWENTY THIRD DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO



IA No. 3 OF 2024

IN

CRLRC NO: 957 OF 2024

Between:

1. Burla Harikumar Reddy, S/o. Pattabhiramireddy, Aged 59 years, R/o. RR Colony, Muthukuru Village, Muthukuru Mandal, SPSR Nellore District.
2. Thandra Bujjamma, W/o. Molakaiah, Aged 75 years, R/o. Nelaturu Village, Nelaturu Mandal, SPSR Nellore District.

...Petitioners/Accused No.2&4

(Petitioner in CRLRC 957 OF 2024

on the file of High Court)

AND

1. Rapuru Devasena, W/o. Babureddy, Age 46 years, R/o. Muthukur Village, Muthukur Mandal, SPSR Nellore District.
2. The State of Andhra Pradesh, rep by its Public Prosecutor, High Court of Andhra Pradesh at Amaravati.

...Respondent/Complainant

(Respondents in-do-)

Counsel for the Petitioner :SRI D PURNACHANDRA REDDY

Counsel for the Respondent No.1:SRI SANAGA ASHOK KUMAR

Petition under Section 528 of B.N.S.S. (under section 482 of Cr.P.C), is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay of all further

proceedings including the appearance of the petitioner in C.C.No.348/2024 on the file of the Special Judicial Magistrate of First Class for Railways, Nellore, Pending disposal of CRLRC No. 957 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:

No representation for the Respondent No.1.

Petitioners are brother-in-law and mother-in-law of the de-facto complainant. Brother-in-law is aged about 59 years and the mother-in-law is aged about 75 years.

Criminal Revision Case has been filed challenging the order dated 30.05.2024 taking cognizance of the offence punishable under Section 498-A, 494, 506 read with 34 of 'the I.P.C.,' against the Petitioners/Accused Nos.1 to 4.

The order dated 30.05.2024 is an intermediate order against which revision is maintainable as per the judgments of the Hon'ble Apex Court in Amar Nath v. State of Haryana¹, Madhu Limaye v. State of Maharashtra², judgment.

No reasons, at least brief reasons were assigned by the learned Judicial Magistrate concerned before taking cognizance. The said procedure is against the judgment of the Hon'ble Apex Court in Sunil Bharti Mittal v. CBI³, judgment.

The names of the Petitioners were deleted by the Investigating Officer at the time of filing of the charge sheet. The learned Magistrate has taken cognizance of the offence against the Petitioners based on the statement of the L.W.1.

¹ (1977) 4 SCC 137

² (1977) 4 SCC 551

³ (2015) 4 SCC 609

For the above reasons, there shall be stay of all further proceedings in respect of the Petitioners in C.C.No.348/2024 on the file of the learned Special Magistrate of First Class for Railways, Nellore.

//TRUE COPY//

F

SD/-U.SRI DEVI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Special Judicial Magistrate of First Class for Railways, Nellore
2. Rapuru Devasena, W/o. Babureddy, Age 46 years, R/o. Muthukur Village, Muthukur Mandal, SPSR Nellore District.(By RPAD)
3. One CC to SRI. D PURNACHANDRA REDDY Advocate [OPUC]
4. One CC to SRI. SANAGA ASHOK KUMAR Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy

KJ

HIGH COURT

DR.YLR,J

DATED:23/10/2025

POST AFTER FOUR WEEKS

ORDER

IA No. 3 OF 2024

IN

CRLRC.No.957 of 2024

STAY

