

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
FRIDAY, THE EIGHTEENTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY FOUR



:PRESENT:

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI
CRIMINAL PETITION NO: 7292 OF 2024

Between:

1. Chirla Hemanth Reddy, S/o late Srinivasa Reddy, aged 25 years, R/o D.No.54-1-13, Velamagudem, Palakollu West Godavari District.
2. Immidi Sai Simha, S/o Sivanarayana, Aged 26 years, R/o D.No.44-4-34, Ward No.21, Velamagudem, Palakollu West Godavari District.
3. Kadali Bobby Suryanarayana @ Surya, S/o Murali Krishna, aged 24 years. Resident of D.No.45-2-18, Nagendrapuram, Palakollu, W.G. District.

...Petitioner/Accused

AND

1. The State of Andhra Pradesh, Rep by its Public Prosecutor, High Court of A.P., Amaravathi. Through Poduru P.S., W.G. District.
2. Chirla Prameela Rani, W/o Hemanth Reddy, Narasimharaopeta, Jinnuru Village, Poduru Mandal, W.G. District.

...Respondent

WHEREAS the Petitioners above named through their Advocate Sri GOWRI SANKAR CHEEKATLA presented this Petition under Section 528 of BNSS, 2023 (Old Section 482 of Cr.P.C) praying that in the circumstances stated in memorandum of grounds of criminal petition, the High Court may be pleased to quash the FIR in Cr.No.113 of 2024 dt:22-06-2024 on the file of Poduru P.S., W.G. District, for the offences punishable u/s 498-A and 506 of the Indian Penal Code with all further and consequential proceedings;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri

Gowri Sankar Cheekatla, Advocate for the Petitioners and 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:

Chirla Prameela Rani, W/o Hemanth Reddy, Narasimharaopeta, Jinnuru Village, Poduru Mandal, W.G. 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 affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted within six (06) weeks, on which date the case stands posted for hearing;

IA NO: 2 OF 2024:

Petition under Section 528 of BNSS, 2023 (Old Section 482 of Cr.P.C) praying that in the circumstances stated in memorandum of grounds of criminal petition, the High Court may be pleased to stay of all further proceedings in FIR in Cr.No.113 of 2024 dt.22.6.2024, on the file of Poduru P.S., W.G. District, for the offences punishable u/s. 498-A and 506 of the Indian Penal Code with all further and consequential proceedings, pending disposal of CRLP No.7292 of 2024, on the file of the High Court.

The Court made the following:

ORDER:

“Heard learned counsel for the petitioners.

Learned Assistant Public Prosecutor takes notice for the respondent No.1/State.

Issue notice to the unofficial respondent No.2.

Learned counsel for the petitioners is permitted to take out personal notice to the unofficial respondent No.2 through registered post with acknowledgment due and file proof of service in the Registry.

All the offences alleged against the petitioners herein are punishable up to seven (07) years of imprisonment only.

Considering the facts and circumstances of the case, the Respondent /police are directed to follow the procedure as contemplated under Section 35(3) of the Bharatiya Nyaya Sanhita, 2023 corresponding to Section 41A Cr.P.C., scrupulously as per the guidelines enunciated in Arnesh Kumar Vs. State of Bihar and another^{((2014) 8 SCC 273)}.
List after six (06) weeks.”

Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER
For ASSISTANT REGISTRAR

To,

1. The Station House Officer, Poduru Police Station, W.G. District ✓
2. Chirla Pameela Rani, W/o Hemanth Reddy, Narasimharaopeta, Jinnuru Village, Poduru Mandal, W.G. District. (by RPAD- along with a copy of petition and memorandum of grounds) ✓
3. One CC to Sri. Gowri Sankar Cheekatla, Advocate [OPUC] ✓
4. Two CCs to Public Prosecutor, High Court of AP [OUT] ✓
5. One spare copy

MM

HIGH COURT

BVLNC,J

DATED:18/10/2024

LIST AFTER SIX (06) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.7292 of 2024

DIRECTION

