

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE TWENTY SIXTH DAY OF JUNE
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY



CRIMINAL PETITION NO: 6679 OF 2022

Between:

1. Thota Mohan Rao, S/o. Late. Nagabushanam, aged about 59 years, Occ. ASI-1744, Sriharikota PS., R/o. Flat No. 203, 3rd Floor, Lakshmi Balaji Residency (Apartment), Sri Nagar Colony, A.C. Nagar Extension, Balajinagar, Nellore
2. Thota Maheshwari, W/o. Mohan Rao, aged about 55 years, Occ. Housewife R/o. Flat No. 203, 3rd Floor, Lakshmi Balaji Residency (Apartment), Sri Nagar Colony, A.C. Nagar Extension, Balajinagar, Nellore
3. Thota Swatha Rani, W/o. Pasupuleti Santhosh Prasad, aged about 33 years, Occ. Software Engineer, Native of Flat No. 203, 3rd Floor, Lakshmi Balaji Residency (Apartment), Sri Nagar Colony, A.C. Nagar Extension, Balajinagar, Nellore now residing at Flat No. 8, Keethana Enclave Apartments, 4th Cross, Shirdi Sai Nagar, Bangalore

...Petitioners/Accused 2 to 4

AND

1. Kedakoti Sandhya, W/o. Thota Sravan, aged 28 years, Occ. Village Secretary R/o. 202/3, A Block, Siri Gardens, Peddacherukuru Village, Nellore Mandal, SPSR Nellore District.

...1st Respondent/Defacto Complainant

2. The State of Andhra Pradesh, through Women Police Station, Nellore rep.by its Public Prosecutor, High Court of Judicature at Amaravati.

2nd Respondent

Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in Criminal Petition, the High Court may be pleased to quash the proceedings in C.C. No. 3336 of 2019 on the file of Honourable Judicial Magistrate of First Class for Special Mobile Court, Nellore.

IA NO: 2 OF 2022

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the grounds filed in Criminal Petition, the High Court may be pleased to stay all further proceedings in C.C. No. 3336 of 2019 on the file of Honourable Judicial Magistrate of First Class for Special Mobile Court, Nellore, pending disposal of CRLP 6679 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri N Ravi Prasad, Advocate for the Petitioners and of Public Prosecutor for the Respondent No.2, the Court made the following

ORDER:

"Learned Assistant Public Prosecutor takes notice on behalf of 2nd Respondent and seeks time to get instructions.

Learned counsel for the petitioners is permitted to take out personal notice to Respondent No.1 by Registered Post with Acknowledgment Due and file proof of service within a period of three (3) weeks.

A perusal of charge sheet goes to show that, only omnibus accusation has been made as against the petitioners herein and no specific act has been attributed as against them and that all the allegations that are made in the charge sheet are directed as against the A1 only.

In view of the aforesaid facts and circumstances there shall be an interim stay of all further proceedings in C.C.No.3336 of 2019 on the file of the learned Judicial Magistrate of First Class for Special Mobile Court, Nellore, for a period of eight (8) weeks.

Post after six (6) weeks."

Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

For /

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class for Special Mobile Court, Nellore.
2. The Station House Officer, Women Police Station, Nellore.
3. Kedakoti Sandhya, W/o. Thota Sravan, Occ. Village Secretary R/o. 202/3, A Block, Siri Gardens, Peddacherukuru Village, Nellore Mandal, SPSR Nellore District. (by RPAD)
4. One CC to Sri. N Ravi Prasad, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy.

MSB

HIGH COURT

SRK,J

DATED:26/06/2023

ORDER

POST AFTER SIX (6) WEEKS

CRLP.No.6679 of 2022

INTERIM STAY

