

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE NINTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 7801 OF 2023



Between:

1. Barla Apparao, S/o. Late Venkateswarlu, Aged about 68 years, Occ. Retd. Employee, R/o. Flat No.307, L-Block, Manjeera Diamond Towers, Gopanpalli, Hyderabad. **(A2)**
 2. Barla Uma Devi,, W/o. Barla Apparao, Aged about 63 years, Occ. Housewife, R/o. Flat No.307, L-Block, Manjeera Diamond Towers, Gopanpalli, Hyderabad. **(A3)**
- ...Petitioner/Accused**

AND

1. The State of Andhra Pradesh, Represented by its Public Prosecutor, High Court of Andhra Pradesh, At Amaravati.
2. Barla Chaitanya, W/o. Phanichandra, Aged about 27 years, Occ. Housewife, R/o. Door No. 7-6, B.C. Colony, Cheedikada Village and mandal, Vishakhapatnam District, Andhra Pradesh 531028.

...Respondents/Complainant

WHEREAS the Petitioners above named through their Advocate Sri T.S.ANIRUDH REDDY presented this Petition under Section 482 of Cr.P.C is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to quash all further proceedings in C.C.No.127 of 2023 on the file of Additional Judicial First Class Magistrate, Chodavaram, Anakapalli District in the interest of justice.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri T.S.Anirudh Reddy, 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:

Barla Chaitanya, W/o. Phanichandra, R/o. Door No. 7-6, B.C. Colony, Cheedikada Village and mandal, Vishakhapatnam District, Andhra Pradesh 531028.

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 (6) weeks.

IA NO: 1 OF 2023:

Petition under Section 482 of Cr.P.C is filed praying that in the circumstances stated in memorandum of grounds of criminal petition, the High Court may be pleased to stay all further proceedings including appearance of the petitioners in C.C.No.127 of 2023 on the file of Additional Judicial First Class Magistrate, Chodavaram, Anakapalli District, pending disposal of CRLP No.7801 of 2023, on the file of the High Court.

**The Court made the following:
ORDER:**

“Learned Assistant Public Prosecutor takes notice for respondent No.1 and seeks time to get instructions in the matter.

Issue notice to respondent No.2.

Learned counsel for the petitioners is permitted to take out personal notice to respondent No.2 by RPAD and file proof of service before the Registry within a period of three (3) weeks.

A charge sheet has been filed against the petitioners herein and others for the offences punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act and the same has been numbered as CC No.127 of 2023 on the file of the learned Additional Judicial Magistrate of First Class, Chodavaram.

Learned counsel for the petitioners submits that pending the said CC, both the parties have entered into a memorandum of understanding and as per the terms and conditions of the said Memorandum of Understanding, the accused have agreed to pay Rs.25,00,000/- to the de facto complainant towards full and final settlement, out of which, an amount of Rs.12,50,000/- was already paid to the de facto complainant. He further submits that having received the said amount, the de facto complainant has given a go bye to the said Memorandum of Understanding and insisting for more monies.

In view of the aforesaid reasons, there shall be interim stay of all further proceedings in CC No.127 of 2023 on the file of the learned Additional Judicial Magistrate of First Class, Chodavaram, for a period of eight (8) weeks.

List the matter after six (6) weeks."

//TRUE COPY//

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

A

SECTION OFFICER
For ASSISTANT REGISTRAR

To,

1. The Additional Judicial First Class Magistrate, Chodavaram, Anakapalli District
2. Barla Chaitanya, W/o. Phanichandra, R/o. Door No. 7-6, B.C. Colony, Cheedikada Village and mandal, Vishakhapatnam District, Andhra Pradesh 531028. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to Sri. T.S.Anirudh Reddy, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

MM

HIGH COURT

SRK,J

DATED:09/10/2023

NOTE: LIST THE MATTER AFTER SIX (6) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.7801 of 2023

INTERIM STAY

