

[3327]

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

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY



IA No. 2 OF 2024

IN

CRLRC NO: 1160 OF 2024

Between:

Chandragiri Prahallada Reddy, S/o. Bala Narasimha Reddy, aged 27 years, R/o. E. Ramapuram Village, Kalasapadu Mandal, YSR Kadapa District.

...Petitioner/Accused No.2

(Petitioner in CRLRC 1160 OF 2024

on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep by the Station House Officer, Kalasapadu Police Station.
2. Yenumula Allury Reddy, S/o. Poli Reddy, aged 59 years, R/o. E. Ramapuram Village, Kalasapadu Mandal, YSR Kadapa District.

...Respondent/Complainant

(Respondents in-do-)

Counsel for the Petitioner :SRI S DUSHYANTH REDDY

Counsel for the Respondent No.1:PUBLIC PROSECUTOR

Petition under Section 482 of CrPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased May be pleased to stay of all further proceedings in S.C. No. 128 of 2020 on the file of the Assistant Sessions Judge, Badvel, YSR Kadapa

District, Pending disposal of CRLRC No. 1160 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:

“Petitioner herein is Accused No.2 in PRC No.15 of 2017 on the file of the learned Judicial Magistrate of First Class, Badvel, registered for the offences punishable under Sections 307, 324 read with 34 IPC.

The police, after investigation, filed charge sheet by deleting the name of the petitioner herein/A2. However, learned Magistrate took cognizance of the offences against A1 to A5 and directed to issue summons to them. Subsequently, the petitioner herein/A2 filed Crl.MP No.69 of 2024 in SC No.128 of 2020 on the file of the learned Assistant Sessions Judge, Badvel, seeking his discharge, but the same was dismissed, vide order dated 30.08.2024. Against which, the present Crl.RC has been filed.

The order passed by the learned Magistrate is not clear as to on what basis he took cognizance against the petitioner herein/A2. Except stating that case is taken on file and taken cognizance against A1 to A5 under Sections 307 and 324 read with 34 IPC, absolutely no reasons are assigned by the learned Magistrate for taking cognizance against the petitioner herein. The correctness of the impugned order passed by the learned Assistant Sessions Judge, Badvel in Crl.MP No.69 of 2024 in SC No.128 of 2020 needs examination.

In view of the aforesaid reasons, there shall be interim stay of all further proceedings in SC No.128 of 2020 on the file of the learned

Assistant Sessions Judge, Badvel, YSR Kadapa district, for a period of eight (8) weeks.

List the matter after six (6) weeks.”

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For

To,

1. The Assistant Sessions Judge, Badvel
2. Yenumula Allury Reddy, S/o. Poli Reddy, aged 59 years, R/o. E. Ramapuram Village, Kalasapadu Mandal, YSR Kadapa District. (By RPAD)
3. One CC to SRI. S DUSHYANTH REDDY Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

KJ

HIGH COURT

SRK,J

DATED:23/01/2025

LIST THE MATTER AFTER SIX (6) WEEKS

ORDER

IA No. 1 OF 2024

IN

CRLRC.No.1160 of 2024

INTERIM STAY

