

[3368]

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

MONDAY ,THE SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

**THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI
CRIMINAL PETITION NO: 8684 OF 2024**



Between:

Ismail Khan Mohammad, S/o Ahmudulla Khan, Age about 63 years, R/o. D.
No. 15-78-3, Near Municipal office, Kakinda, Kakinada District.

Petitioner/Accused No.2

AND

1. The State of Andhra Pradesh, Rep. by its Station House Officer, Disha
UPS Kakinada Police Station, Kakinada District, Rep. by Public
Prosecutor, High Court of AP at Amaravathi.
2. Tathapudi Niharika, W/o. Ede Venkatesh, Aged about 32 years, D. No.
8-20-21, Pollavari Street, Gandhinagar, Kakinada, Kakinada District.

Respondents/Defacto Complainant

WHEREAS the Petitioner/Accused above named through his
Advocate SRI YARRAMSETTY VENKATESH presented this Petition under
482 of Criminal Procedure code/ Section 528 of BNSS praying that in the
circumstances stated in the affidavit filed in support of the Criminal Petition,
the High Court may be pleased to quash the criminal proceedings against the
Petitioner/Accused No.2 in CC. No. 316 of 2024 on the file Hon'ble I
ADDITIONAL JUNIOR CIVIL JUDGE - CUM ADDL. JUDICIAL FIRST CLASS
MAGISTRATE, Kakinada

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri YARRAMSETTY VENKATESH Advocate for the Petitioner, ASSISTANT 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:

Tathapudi Niharika, W/o. Ede Venkatesh, Aged about 32 years, D. No. 8-20-21, Pollavari Street, Gandhinagar, Kakinada, Kakinada 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 memorandum of grounds filed therewith(copy enclosed) this **CRIMINAL PETITION** should not be admitted within six weeks.

IA NO: 1 OF 2024

Petition under 482 of Criminal Procedure code/ Section 528 of BNSS is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all further proceedings including appearance of the Petitioner/Accused No. 2 in CC. No. 316 of 2024 on the file I ADDITIONAL JUNIOR CIVIL JUDGE - CUM ADDL. JUDICIAL FIRST CLASS MAGISTRATE, Kakinada, pending disposal of CRLP No. 8684 of 2024, on the file of the High Court.

The Court made the following order:

“Heard learned counsel for the petitioner.

Learned Assistant Public Prosecutor takes notice on behalf of the respondent No.1/State and seeks time for getting instructions.

Issue notice to the unofficial respondent No.2.

Learned counsel for the petitioner 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.

Considering the facts and circumstances of the case, the presence of the petitioner herein/A2 only before the trial Court is dispensed with, except on those dates when the learned Magistrate feels that his presence is necessary.

List after six (06) weeks.”

//TRUE COPY//

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

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SECTION OFFICER

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To,

1. The I Additional Junior Civil Judge - cum Addl. Judicial First Class Magistrate, Kakinada
2. The Station House Officer, Disha UPS Kakinada Police Station, Kakinada District
3. Tathapudi Niharika, W/o. Ede Venkatesh, Aged about 32 years, D. No. 8-20-21, Pollavari Street, Gandhinagar, Kakinada, Kakinada District. (by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI. YARRAMSETTY VENKATESH Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
6. **One spare copy**

HIGH COURT

BVLNC,J

DATED:02/12/2024

LIST AFTER SIX (06) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.8684 of 2024

DIRECTION

