

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY, THE THIRTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 9292 OF 2023

Between:

Sandeep Usman, S/o Usman Mohammad, aged 41 years, Occ Business, R/o. D.No.29-28-1/22, Kovelamudivari Street, Vijayawada, O/o D.No.6-88, Lucky Hundai Show Room, Opp Tankasala Kalyanamandapam, Enikepadu, Vijayawada, Yanamalakuduru Police Station limits

Petitioner/Accused

AND

1. The State of Andhra Pradesh, Rep by its Public Prosecutor High Court of Andhra Pradesh

Respondent No.1

2. Yakkala Harish, S/o Yakkala Prasada Rao, aged 39 yrs, Occ Employee, Ganjamvari Street, Kakinada, Rep. by his GPA holder and father, Mr. Yakkala Prasada Rao, S/o late Krishna Murthy, aged 63 yrs, Occ Business, R/o. D.No. 25-6-12/1, Ganjamvari Street, Kakinada, 1 Town P.S. Limits, E.G. Dist.

Respondent No.2/Complainant

WHEREAS the Petitioner/Accused above named through his Advocate SRI VARUN BYREDDY presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the memo of grounds filed in support of the Criminal Petition, the High Court may be pleased to set aside the order dated 21.09.2023 in CrI.M.P No. 3101 of 2023 in CC No. 40 of 2021 on the file of the Court of III Addl. Judicial Magistrate of First Class, Kakinada and consequently direct the Court of III Addl. Judicial Magistrate of First Class, Kakinada to reopen the evidence of the witness i.e. PW1 in CC No. 40 of 2021

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

Yakkala Harish, S/o Yakkala Prasada Rao, aged 39 yrs, Occ Employee, Ganjamvari Street, Kakinada, Rep. by his GPA holder and father, Mr. Yakkala Prasada Rao, S/o late Krishna Murthy, aged 63 yrs, Occ Business, R/o. D.No. 25-6-12/1, Ganjamvari Street, Kakinada, 1 Town P.S. Limits, E.G. Dist.

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 two weeks.

IA NO: 2 OF 2023

Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the memo of grounds filed in support of the petition, the High Court may be pleased to stay all the further proceedings in CC No. 40 of 2021 on the file of the Court of III Addl. Judicial Magistrate of First Class, Kakinada, Pending disposal of CRLP 9292 of 2023, on the file of the High Court.

The Court made the following order:

"Learned Assistant Public Prosecutor takes notice on behalf of 1st Respondent and seeks time to get instructions.

Issue notice to the respondent No.2.

Learned counsel for the petitioner is permitted to take out personal notice to the Respondent No.2 by Registered Post with Acknowledgment Due and file proof of service within a period of two (02) weeks.

In view of the submissions made by the learned counsel for the petitioner, there shall be interim stay of all further proceedings in C.C.No.40 of 2021 on the file of III Additional Judicial Magistrate of First Class, Kakinada, for a period of three (03) weeks.

List after two (02) weeks."

**Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR**

//TRUE COPY//

For A

SECTION OFFICER

To,

1. The III Addl. Judicial Magistrate of First Class, Kakinada
2. Yakkala Harish, S/o Yakkala Prasada Rao, aged 39 yrs, Occ Employee, Ganjamvari Street, Kakinada, Rep. by his GPA holder and father, Mr. Yakkala Prasada Rao, S/o late Krishna Murthy, aged 63 yrs, Occ Business, R/o. D.No. 25-6-12/1, Ganjamvari Street, Kakinada, 1 Town P.S. Limits, E.G. Dist. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. VARUN BYREDDY Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
5. One spare copy

HIGH COURT

SRK,J

DATED:13/03/2024

LIST AFTER TWO (02) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.9292 of 2023

INTERIM STAY

