

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

WEDNESDAY, THE SIXTEENTH DAY OF APRIL,

TWO THOUSAND AND TWENTY FIVE

**:PRESENT:**

**HONOURABLE SRI JUSTICE HARINATH.N**

**CRIMINAL PETITION NO: 9213 OF 2022**



**Between:**

1. Datla Janaki Siva Ramaraju @ Siva, S/o. Krishnam Raju, Aged 31 Years, R/o.D.No. 1-81/1, Mondikodu Village, Eluru Mandal, West Godavari now residing at, Flat no. 302, YenumalaVaibhava Apartments, Karampudi Road, Beside of LIC office, GurajalaTown, Guntur District.
2. Gudapati Saradhi Babu, S/o Veerabhadra Rao, Aged 31 Years, Polusigudem Village, Vempalli Post Kamavarapukota Mandal, WestGodavariDistrict.

**...Petitioners/A2 and A3**

**AND**

1. The State of Andhra Pradesh, (Undrajavaram Police Station, West Godavari District) Rep. by The Public Prosecutor, High Court of Andhra Pradesh, Amaravati, Guntur District.
2. Atmakuri Gayatri, D/o.Venkata Rao, Aged.Not Known, Velivennu Village,Undrajavaram Mandal, West Godavari District.

**...Respondent/De-facto Complainant**

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 call for the records in CC No.1435 of 2021 on the file of II Additional Judicial Magistrate of First Class, Tanuku, West Godavari District in so far as the petitioners/ A-2 and A-3 are concerned;

**IA NO: 1 OF 2022:**

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 in CC No.1435 of 2021 on the file of II Additional Judicial Magistrate of First Class, Tanuku, West Godavari District, pending disposal of CRLP.No.9213 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds of criminal petition and upon hearing the arguments of M/s Marupilli Sarada, Advocate for the Petitioners and Public Prosecutor for the Respondent No.1, the Court made the following;

**ORDER:**

**“The learned counsel for the petitioner submits that the petitioners are arraigned as accused Nos.2 and 3 in C.C.No.1435 of 2021, on the file of the II Additional Judicial Magistrate of I Class, Tanuku, West Godavari District, for the alleged offences under Section 354-D(2) of the IPC and Sections 66(B)(C)(D)(E) Section 67 (A) of the IT Act, 2008 and for the offence under Section 173 of the Cr.P.C.**

**It is submitted by the learned counsel for the petitioner that the petitioners are friends of the 1<sup>st</sup> accused and have been unnecessarily roped in as accused, though there is no specific allegation against the against them.**

**The learned counsel appearing for the petitioners submits that the entire allegations revolve around the alleged creation of an “outlook” account and a Facebook account in the name of the 2<sup>nd</sup> respondent, and that certain objectionable content was posted from the said accounts.**

The learned counsel for the petitioners further submits that although the police have completed the investigation and filed a charge sheet, no efforts were made by the police to ascertain who actually created the alleged Facebook or Instagram accounts in the name of the 2<sup>nd</sup> respondent. Listed witnesses Nos.2 and 3 are the parents, and listed witnesses Nos. 4, 5, 6 and 7 have merely stated that the source of their information is listed witness No.1. Listed witnesses Nos.8 and 6 are the investigating officers.

The learned Assistant Public Prosecutor submits that the LW9 and 8 have recorded the details of the IP addresses.

The learned counsel for the petitioners submits that the petitioners are working in Bangalore and Chennai, and that it is difficult for them to appear on every date of hearing.

There shall be a stay of appearance for the petitioners in C.C.No.1435 of 2021, on the file of II Additional Judicial Magistrate of I Class, Tanuku, West Godavari District, except for the dates when they are required for the purpose of trial.

The learned counsel for the petitioner(s) is permitted to take out personal notice on the 2<sup>nd</sup> respondent by RPAD and file proof of service in the Registry.

Post the matter on 07.07.2025.”

Sd/- P.U.V.Bhaskara Rao  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The II Additional Judicial Magistrate of First Class, Tanuku,  
W.G.District
2. Atmakuri Gayatri, D/o.Venkata Rao, Aged.Not Known, Velivennu  
Village,Undrajavaram Mandal, West Godavari District. (by RPAD)

3. One CC to M/s Marupilli Sarada, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

MM

**HIGH COURT**

**HN,J**

**DATED:16/04/2025**

**POST THE MATTER ON 07.07.2025**

**ORDER**

**CRLP.No.9213 of 2022**

**STAY**

