

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
FRIDAY, THE TENTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO

:PRESENT:
THE HONOURABLE SRI JUSTICE K.LAKSHMAN
CRIMINAL PETITION NO: 4837 OF 2022

Between:

1. Udutha Nagaraju S/o. Krishnaiah
2. Udutha Yogesh Yadav @ Genesh, S/o. Nagendram Yadav

Petitioners/Accused No.1 & 2

AND

1. The State of Telangana, rep. by its Public Prosecutor, High Court of Telangana at Hyderabad.
2. Smt Adem Nageshwaramma, W/o. Nirranjan, Occ . Agricultural, R/o.Ramapuram Village Kollapur Mandal.

Respondent/Complainant

WHEREAS the Petitioners above named through their Advocate Sri N Bhujanga Rao presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the CrI.P, the High Court may be pleased to quash the proceedings in C.C No. 429 of 2021 on the file of Honble Court of Judicial First Class Magistrate at Kollapur;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri N Bhujanga Rao Advocate for the Petitioner, Public Prosecutor for 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;

Smt Adem Nageshwaramma, W/o. Nirranjan, Occ . Agricultural,
R/o.Ramapuram Village Kollapur Mandal.

are directed to show cause on or before 20.07.2022 to which date the case stands posted 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.

IA NO: 1 OF 2022

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the petition, the High Court may be pleased to stay all further proceedings including personal appearance in C.C No. 429 of 2021 on the file of Honble Court of Judicial First Class Magistrate at Kollapur, pending disposal of CRLP No. 4837 of 2022, on the file of the High Court.

The Court made the following:

ORDER

Notice to 2nd respondent.

Personal notice is permitted.

List on 20.07.2022.

Perusal of the record would reveal that the 1st petitioner herein had filed a suit vide O.S.No.95 of 2021 in the month of March, 2021 and the learned Junior Civil Judge at Kollapur has granted interim injunction and the same was extended until further orders. According to the learned counsel for the petitioners, the said suit is pending and the said injunction order is subsisting as on today. The said facts were not considered by the Investigating Officer in charge sheet. Prima facie, the contents of the charge sheet lacks the ingredients of offences alleged against the petitioner herein.

In view of the same, matter requires examination.

Therefore, there shall be stay of all further proceedings including appearance of the petitioners herein in C.C.No.429 of 2021, pending on the file of Judicial First Class Magistrate, Kollapur.

//TRUE COPY//

SD/- K.VENKAIAH
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate, Kollapur
2. The Station House Officer, Kollapur Police Station, Mahabubnagar
3. Smt Adem Nageshwaramma, W/o. Niranjan, Occ. Agricultural, R/o.Ramapuram Village Kollapur Mandal. (by RPAD- along with a copy of petition and memorandum of grounds)
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. One CC to Sri N Bhujanga Rao Advocate [OPUC]
6. One spare copy

HIGH COURT

KLJ

DATED:10/06/2022

LIST ON 20.07.2022

NOTICE BEFORE ADMISSION

CRLP.No.4837 of 2022

STAY

