

[3327]

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

WEDNESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

**:PRESENT:
THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY**

CRIMINAL PETITION NO: 1358 OF 2023

Between:

1. Malothu Nagaraju @ Nagaraju, S/o Ramulu, Aged 29 years, Hindu, Caste Sugali, Chodavaram Village, Penamuluru Mandal, Krishna District.
2. Malothu @ Malothu Lakshmi, @ Lakshmi, W/o Ramulu, Aged 60 years, Hindu, Caste Sugali, Chodavaram Village, Penamuluru Mandal, Krishna District.
3. Malothu @ Malavathu Ramulu @ Ramulu, S/o Limba, Aged 55 years, Hindu, Caste Sugali, Chodavaram Village, Penamuluru Mandal, Krishna District.
4. Malothu Anil, S/o Ramulu, Aged 27 years, Hindu, Caste Sugali, Chodavaram Village, Penamuluru Mandal, Krishna District.
5. Banavathu Koteswarari @ Koteswari, W/o (Late) Bheem Rao, Aged 50 years, Hindu, Caste Sugali, Chodavaram Village, Penamuluru Mandal, Krishna District.
6. Jarpala Malleswari @ Mali, S/o (Late) Mote, Aged 66 years, Hindu, Caste Sugali, Chodavaram Village, Penamuluru Mandal, Krishna District

Petitioners/Accused 1 to 6

AND

1. The State Of Andhra Pradesh, Represented by Public Prosecutor, High Court of A.P.Amaravathi.

Respondent

2. Malothu Amulya, Nagaraju, W/o Nagaraju Aged 24 years, Hindu, Sugali, Kolanukonda Village, Tadepalli Mandal, District.

Respondent/Complainant

Whereas the Petitioners/Accused above named through their Advocate Sri VENKATA SIVA KUMAR DEVARA presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to quash the proceedings in C.C. No. 376/2022 on the file of the Hon'ble Additional Judicial Magistrate of First Class, Mangalagiri, Guntr, District against the Petitioner's /Accused no.1 to 6;

And whereas the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri VENKATA SIVA KUMAR DEVARA Advocate for the Petitioners and of 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:

Malothu Amulya, Nagaraju, W/o Nagaraju Aged 24 years, Hindu, Sugali, Kolanukonda Village, Tadepalli Mandal, 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: 2 OF 2023 :

Petition under Section 482 of Cr.P.C is filed praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings including appearance of the Petitioner's / Accused. No.1 to 6 in C.C.No.376/2022 on the file of Honorable Additional Judicial Magistrate of First Class, Mangalagiri, Guntur District, pending disposal of CRLP No. 1358 of 2023, on the file of the High Court.

The Court made the following Order:

"Learned Assistant Public Prosecutor takes notice for respondent No.1 and seeks time to get instructions in the matter:"

Issue notice to respondent No.2.

Learned counsel for the petitioners is permitted to take out personal notice to respondent No.2 by RPAD and file proof of service in the Registry within a period of three (3) weeks.

In the meanwhile, the presence of the petitioners 2 to 6 herein/A-2 to A6 only before the trial Court is dispensed with, except on those dates when the learned Magistrate feels that their presence is necessary, for a period of eight (8) weeks.

List the matter after six (6) weeks."

**Sd/- SK. MOHAMMED RAFI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Additional Judicial Magistrate of First Class Managalagiri, Guntur District.
2. Malothu Amulya, Nagaraju, W/o Nagaraju Aged 24 years, Hindu, Sugali, Kolanukonda Village, Tadepalli Mandal, District. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. VENKATA SIVA KUMAR DEVARA Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR (AP) [OUT]
5. One spare copy

ER

HIGH COURT

SRK, J

DATED:22/02/2023

LIST THE MATTER AFTER SIX (6) WEEKS

NOTICE TO RESPONDENT NO.2

CRLP.No.1358 of 2023

DIRECTION

