

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

FRIDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY



CRIMINAL PETITION NO: 2213 OF 2023

Between:

Lenka Narayana Rao, S/o.Sanyasi Appala Naidu, Age.46 years, R/o.Pedasirlam,
R.Amudalavalasa Mandal, Srikakulam District.

...Petitioner/Accused

AND

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

...Respondent

2. Mudili Gangu Naidu @ Ganghadar, S/o.Simhachalam, Age.52 years,
R/o.Maruthi Nagar, 4th Line, Rajam, Srikakulam District.

...Respondent/Defacto Complainant

WHEREAS the Petitioner above named through his Advocate Sri K SITA RAM presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in Criminal Petition, the High Court may be pleased to quash the proceedings in CC No.433 of 2015, on the file of Hon'ble Judicial First Class Magistrate at Rajam, against the Petitioner/Accused.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri K SITA RAM Advocate for the Petitioner and of 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:

Mudili Gangu Naidu @ Ganghadar, S/o.Simhachalam, R/o.Maruthi Nagar, 4th
Line, Rajam, Srikakulam 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 (6) weeks.

IA NO: 1 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed in Criminal Petition, the High Court may be pleased to grant stay of all further proceedings in CC No.433 of 2015, on the file of Hon'ble Judicial First Class Magistrate at Rajam including the appearance of the Accused till the disposal of the Main Quash Petition in the interest of the justice, pending disposal of CRLP No. 2213 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 petitioner 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.

A perusal of the complaint shows that absolutely there are no dates mentioned in the complaint as to when the notice has been issued to the petitioner herein and when the same has been returned. In the absence of any such dates mentioned in the complaint, this Court is of the opinion that it needs examination.

In view of the aforesaid facts and circumstances, presence of the petitioner herein only before the trial Court is dispensed with, except on those dates when the learned Magistrate feels that his presence is necessary, for a period of eight (8) weeks.

List the matter after six (6) weeks."

Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

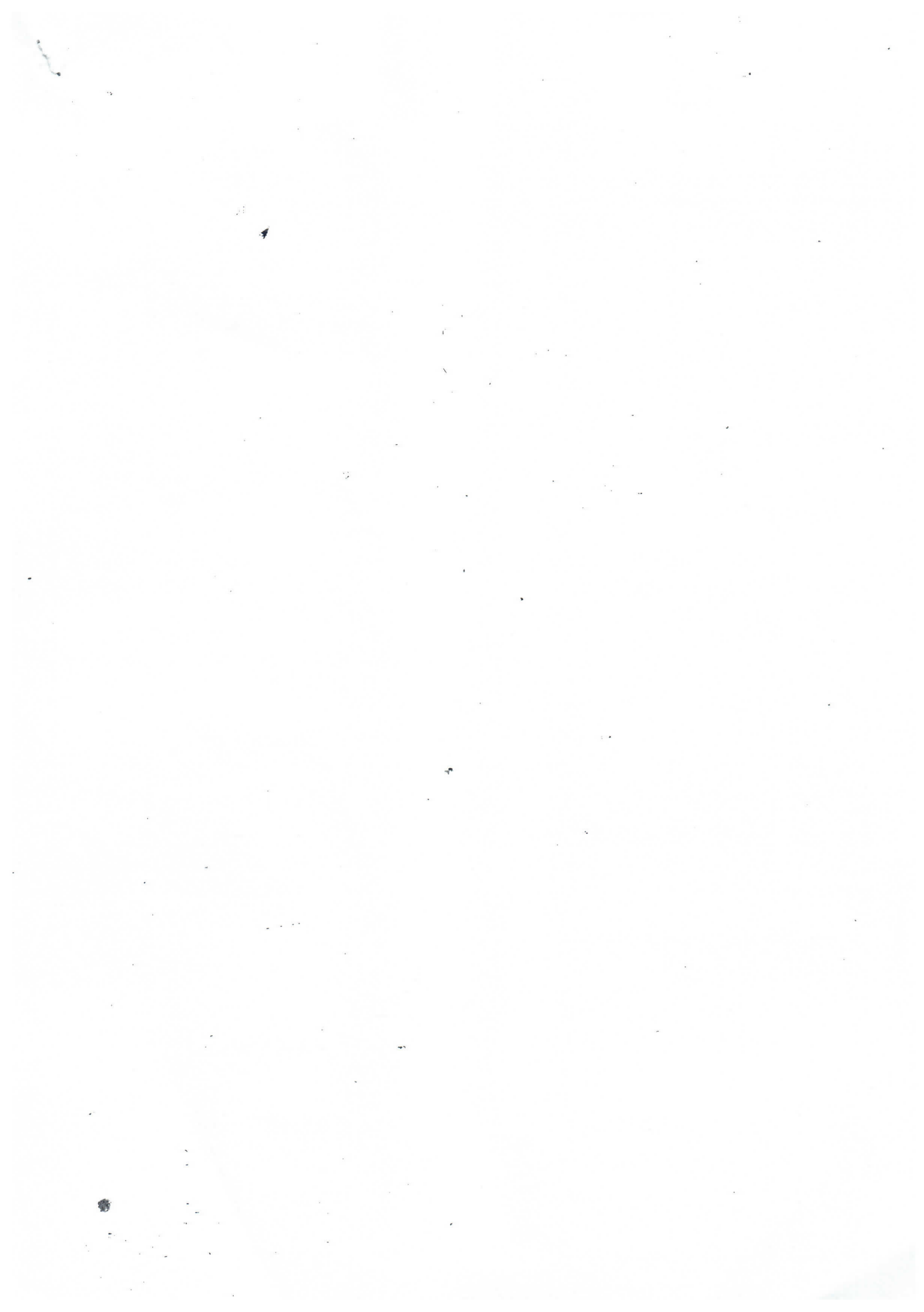
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SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Rajam, Srikakulam District.
2. Mudili Gangu Naidu @ Ganghadar, S/o.Simhachalam, R/o.Maruthi Nagar, 4th Line, Rajam, Srikakulam District.(by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. K SITA RAM Advocate [OPUC]
4. Two CC to Public Prosecutor, High Court of AP [OUT]
5. One spare copy.

MSB



HIGH COURT

SRK,J

DATED:24/03/2023

ORDER

LIST THE MATTER AFTER SIX (6) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.2213 of 2023

DIRECTION

