

HIGH COURT OF ANDHRA PRADESHMAIN CASE NO : CrI.P.No.2683 of 2023PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
1.	13.04.2023	<u>BSB, J</u> <u>I.A.No.1 of 2023</u> This petition is filed to stay all further proceedings including appearance of the petitioners/A.1 to A.3 in C.C.No.723 of 2022 on the file of the Court of Additional Judicial Magistrate of First Class, Ananthapuram, for the offence under Section 498-A r/w 34 IPC and Section 3 and 4 of Dowry Prohibition Act. The case of prosecution is that the <i>defacto</i> complainant got clerical job at Canara bank and was married to Kamsala Phanibhushan. Her husband is also an employee in Canara bank. After marriage, the husband of <i>defacto</i> complainant harassed her for her salary. So, she gave her salary to her husband. As her husband was transferred from Dibbarahalli to Tumkur, the <i>defacto</i> complainant availed leave and joined her in-laws at Hindupur, where the petitioners/A.1 to A.3 harassed the <i>defacto</i> complainant physically and mentally for additional dowry. Then, she left Hindupur and went to Tumkur	

	where her husband was working and stayed with him. The husband of <i>defacto</i> complainant tortured her to resign from her job. All the accused abused and threatened her over phone and forced to resign from job. Heard learned counsel for the petitioners and Sri.K.Ananda Kumar, learned Special Assistant Public Prosecutor. Learned counsel for the petitioners submitted that only while settling the issues after death of the son of 1st petitioner and brother of petitioners No.2 and 3 who is the husband of the 2nd respondent/<i>defacto</i> complainant, all the problems cropped up and in that connection a false case was filed. He further submitted that after marriage of the 2nd respondent with her husband on 13.10.2018, she lived only for three months with the petitioners and thereafter she, along with her husband, used to stay away from the petitioners and there was no possibility of any kind of harassment. He further submitted that the petitioners are unable to attend every adjournment, though there is no offence committed by them. Learned Special Assistant Public Prosecutor submitted that the private complaint was lodged by the <i>defacto</i> complainant, and when the Magistrate ordered	
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		investigation under Section 156(3) Cr.P.C., the police conducted investigation and laid charge sheet. Perused the record. Since the matter requires adjudication, pending proceedings in the main case, before serving notice to the 2nd respondent, it is a matter fit to grant interim stay. As such, the interim stay is granted only for four (4) weeks, dispensing with the presence of the petitioners in C.C.No.723 of 2022 on the file of the Court of Additional Judicial Magistrate of First Class, Ananthapuram, before serving notice to the 2nd respondent. Notice to the respondent No.2. Post after four (04) weeks. B.S.BHANUMATHI,J <u>Crl.P.No.2683 of 2023</u> Notice. Learned counsel for the petitioner is permitted to take out personal service of notice to the respondent No.2 through RPAD and file proof thereof. Post after four (04) weeks. B.S.BHANUMATHI,J SAB	
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