

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



THURSDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 5417 OF 2023

Between:

1. Sake Roja, D/o Sake Anand, Aged 29 years, R/o D.No.1/123, SC Colony, Lathavaram Village, Uravakonda Mandal, Ananthapuram Dist.
2. Sake Anand, S/o Late S.Gangappa, Aged 61 years, R/o Lathavaram Village, Uravakonda Mandal, Ananthapuram Dist.
3. Sake Kishore, S/o S.Anand, Aged 34 years, R/o D.No.1/123-A, Lathavaram Village, Uravakonda Mandal, Ananthapuram Dist.

...Petitioners/Accused Nos.1 to 3

AND

1. The State of Andhra Pradesh, Through SHO, Ananthapuram II Town P.S Represented by its Public Prosecutor, High Court of Andhra Pradesh.
2. Tuluva Siva Prasad, S/o Tuluva Narayanappa, Aged 58 years, R/o D.No.8/291, Opposite Naidu Hotel, Ananthapuram Town, Ananthapur District.

...Respondents

WHEREAS the Petitioners above named through their Advocate Sri Arun Showri G presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in Criminal Petition, the High Court may be pleased to quash the criminal proceedings as against Petitioners/Accused No.1 to 3 in S.C. No 209 of 2023 on the file of II Additional Senior Civil Judge, Ananthapuram for the offences punishable under Sections-307, 341, 355, 384, 452, 506 r/w 34 of Indian Penal Code as they are lacking merits and substance;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri Arun Showri G, Advocate for the Petitioners 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:

Tuluva Siva Prasad, S/o Tuluva Narayanappa, R/o D.No.8/291, Opposite Naidu Hotel, Ananthapuram Town, Ananthapur 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 four (4) weeks

IA NO: 2 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the grounds filed in Criminal Petition, the High Court may be pleased to stay the proceedings in S.C. No 209 of 2023 on the file of II Additional Senior Civil Judge, Ananthapuram for the offences punishable under Sections-307, 341, 355, 384, 452, 506 r/w 34 of Indian Penal Code, pending disposal of CRLP No. 5417 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 before the Registry within a period of three (3) weeks.

In the meanwhile, the presence of the petitioners 2 and 3/A2 and A3 only, before the trial Court is dispensed with, except on those dates when the learned Magistrate feels that their presence is necessary.

List the matter after four (4) weeks."

//TRUE COPY//

For

Sd/-N.NAGAMMA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The II Additional Senior Civil Judge, Ananthapuram.
2. Tuluva Siva Prasad, S/o Tuluva Narayanappa, R/o D.No.8/291, Opposite Naidu Hotel, Ananthapuram Town, Ananthapur District. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to Sri. Arun Showri G, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy.

MSB

HIGH COURT

SRK,J

DATED:27/07/2023

ORDER

LIST THE MATTER AFTER FOUR (4) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.5417 of 2023

DIRECTION

