

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
 WEDNESDAY, THE SECOND DAY OF AUGUST
 TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 5535 OF 2023

Between:

G.Pavan Kumar @ Ayyappa, S/o.Veeranjaneyulu, Hindu, Aged about 34 yrs,
 Occ.Business, R/o.D.No.13-1-272, Ayyappa Vilas, Macherla, Guntur Dist.

Petitioner/Accused 4

AND

1. The State Of Andhra Pradesh, through S.H.O.Durgi P.S, Rep. by its Public Prosecutor at High Court of A.P.Amaravati
2. Kannebiona Sateesh, S/o.Not Known, Sub-Inspector of Police, Durgi P.S. Durgi, Guntur Dist.

Respondent/Complainant

WHEREAS the Petitioner/Accused above named through his Advocate Sri G L Nageswar Rao 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 call for records in connection with the case in Cr.No. 57 of 2023 on the file of the SHO Durgi P.S., Guntur District, registered for the alleged offences u/s 7(A) R/w 8(E) of APPA Act and to quash the same against the petitioners herein as it is illegal, arbitrary, unjust and abuse of process of law and the allegations do not attract the ingredients of the alleged offences.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri G L Nageswar Rao Advocate for the Petitioner, Special Assistant Public Prosecutor takes notice on behalf of 1st Respondent, 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:

Kannebiona Sateesh, S/o Not Known, Sub-Inspector of Police, Durgi P.S. Durgi, Guntur Dist.

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 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 support of the petition, the High Court may be pleased to grant stay of all further proceedings in connection with the case in Cr.No. 57 of 2023 on the file of the SHO Durgi P.S., Guntur District, registered for the alleged offences u/s 7(A) R/w 8(E) of APPA Act, pending disposal of CRLP No. 5535 of 2023, on the file of the High Court.

The Court made the following order :

"Learned Special Assistant Public Prosecutor takes notice on behalf of 1st Respondent and seeks time to get instructions.

Issue notice to respondent No.2.

Learned counsel for the petitioner is permitted to take out personal notice to Respondent No.2 by Registered Post with Acknowledgment Due and file proof of service within a period of three (3) weeks.

A case in Crime No.57 of 2023 of Durgi Police Station, Palnadu District has been registered against the petitioner herein and others for the offence punishable under Section 7A read with 8E of the Andhra Pradesh Prohibition Act. During the course of investigation, basing on the confessional statement of A3, the name of the petitioner herein has been shown as A4. Except the confessional statement of A3, there is absolutely no other material to connect the petitioner herein to the said crime.

In view of the above, police are directed to conduct investigation without taking any coercive steps as against the petitioner herein.

Post after four (4) weeks.

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

For A

SECTION OFFICER

To,

1. The S.H.O, Durgi Police Station
2. Kannebiona Sateesh, S/o Not Known, Sub-Inspector of Police, Durgi P.S. Durgi, Guntur Dist. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to Sri G.L Nageswar Rao Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

HIGH COURT

SRKJ

DATED:02/08/2023

POST AFTER FOUR (4) WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.5535 of 2023

DIRECTION

