



(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 5565 OF 2023

Between:

1. SMT. CHALLAPILLA PRATHISTA, w/o Praveen Kumar, Hindu, 37 years, Old Centurion University of Technology and Management Building, 343/1, Gidijala Junction, Anandapuram Mandal, Visakhapatnam District.
2. Challapilla Pavan, s/o Ch. B. Prasad, Hindu, 35 years, Old Centurion University of Technology and Management Building, 343/1, Gidijala Junction, Anandapuram Mandal, Visakhapatnam District.

Petitioner/Accused Nos. 3 & 4 in CC 4125/2020

AND

1. JAMPANA MURALI, s/o Subbaraju, Hindu, 43 years, repled., by his Father and GPA Holder Jampana Subba Raju, aged 66 years, resident of 53-16-41/2, Behind Automotive Ltd., Maddilapalem, Visakhapatnam.

Respondent/Complainant in CC No. 4125/2020

2. THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor High Court of A.P., Amaravati

Respondents

WHEREAS the Petitioners above named through their Advocate Sri V V RAVI PRASAD 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 the records in CC No. 4125/2020 on the file of the learned V Special

Magistrate at Visakhapatnam and quash the same as against the petitioners/accused .

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri V V RAVI PRASAD Advocate for the Petitioners and of PUBLIC PROSECUTOR for Respondent no.2 directed issue of notice to the Respondent No.1 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

1. JAMPANA MURALI, s/o Subbaraju, Hindu, 43 years, repled., by his Father and GPA Holder Jampana Subba Raju, aged 66 years, resident of 53-16-41/2, Behind Automotive Ltd., Maddilapalem, Visakhapatnam.

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 eight 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 Criminal Petition, the High Court may be pleased to stay all further proceedings in CC No. 4125/2020 on the file of the learned V Special Magistrate at Visakhapatnam , pending disposal of CRLP No. 5565 of 2023, on the file of the High Court.

The Court made the following: **ORDER**

“Issue notice to respondent No.1.

Learned counsel for the petitioner is permitted to take out personal notice on respondent No.1 by registered post with acknowledgment due and file proof of service before the Registry within a period of three (3) weeks.

On a perusal of the material on record goes to show that except stating that A3 and A4 were managing the affairs of the company, there is no averment in the entire complaint that they are in charge and responsible for day to day affairs of the company as per the provision under Section 141 of Negotiable Instrument Act.

In view of the same, there shall be an interim stay of all further proceedings in C.C.No.4125 of 2020 on the file of the learned IV Additional Chief Metropolitan Magistrate, Visakhapatnam for a period of twelve (12) weeks.

Post the matter after eight (08) weeks."

Sd/- M. PRABAKAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The V Special Magistrate at Visakhapatnam.
2. The IV Additional Chief Metropolitan Magistrate, Visakhapatnam.
3. JAMPANA MURALI, s/o Subbaraju, Hindu, 43 years, repled., by his Father and GPA Holder Jampana Subba Raju, aged 66 years, resident of 53-16-41/2, Behind Auotmotive Ltd., Maddilapalem, Visakhapatnam. (by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI. V V RAVI PRASAD Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
6. One spare copy.

psk

HIGH COURT

SRK,J

DATED:30/04/2024

POST AFTER EIGHT WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.5565 of 2023

DIRECTION

