

[3327]

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
WEDNESDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE



:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 5853 OF 2023

Between:

Devabhakthuni Ashok Kumar, S/o Koteswararao, aged about 46 Years, Hindu,
Occ. Business, R/o D.NO. 6-66, Main Road, Beside Panchayat Office, Gollapudi,
Vijayawada Rural Mandal, Krishna District. A.P.

Petitioner/Complainant

AND

1. Devabhakthuni Chakravarthi, , S/o D.Subbarao, Hindu, aged about 45 Years,
Business , R/o Near D.No. 5-612, Ashok Nagar, Vijayawada-520007.

Respondent No.1/Accused

2. The State of Andhra Pradesh, , Through , Public Proceusor High court of A.P.
Amaravathi.

2nd Respondent

WHEREAS the Petitioner/Complainant above named through his Advocate Sri T V V KOTESWARA 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 set aside the orders dated 30.5.2023 passed in CrI.M.P.NO. 1143/2023 in C.C.NO. 111/2015 by the 1st Special Magistrate. Vijayawada and allow the petitioner to produce the notarized copy of the Ration card in the name of the petitioner's father and Statement account of Central Bank of India, Governorpet Branch, Vijayawada-2 as Exs.P16 , Ex.P17 by reopening his evidence , in the interest of justice;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri T V V KOTESWARA RAO Advocate for the Petitioner and Public Prosecutor for the 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:

Devabhakthuni Chakravarthi, , S/o D.Subbarao, Hindu, aged about 45 Years,
Business , R/o Near D.No. 5-612, Ashok Nagar, Vijayawada-520007.

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 weeks.

IA NO: 1 OF 2023:

Petition under Section 482 of Cr.P.C is filed 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 C.C.No. 111/2015 on the file of the Court of the 1st Special Magistrate, Vijayawada, pending disposal of CRLP No. 5853 of 2023, on the file of the High Court.

The Court made the following Order:

“Learned Assistant Public Prosecutor takes notice on behalf of 2nd Respondent and seeks time to get instructions.

Issue notice to Respondent No.1.

Learned counsel for the petitioner is permitted to take out personal notice to Respondent No.1 by Registered Post Acknowledgment Due and file proof of service within a period of three (03) weeks.

There shall be stay of all further proceedings in C.C.No.111 of 2015, on the file of I Special Magistrate, Vijayawada, for a period of eight (08) weeks.

Post after six (06) weeks.”

**Sd/- M. SRINIVAS
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

- 1. The I Special Magistrate, Vijayawada.**
 - 2. Devabhakthuni Chakravarthi, S/o D.Subbarao, Hindu, aged about 45 Years, Business, R/o Near D.No. 5-612, Ashok Nagar, Vijayawada-520007. (by RPAD- along with a copy of petition and memorandum of grounds)**
 - 3. One CC to SRI. T V V KOTESWARA RAO Advocate [OPUC]**
 - 4. One spare copy**
- ER**

HIGH COURT

SRKJ

DATED:11/10/2023

NOTICE TO RESPONDENT NO.1

CRLP.No.5853 of 2023

STAY

