

HIGH COURT OF ANDHRA PRADESH : AT AMARAVATI

MAIN CASE No.: CrI.P.No.5855 of 2023

PROCEEDING SHEET

SL. NO.	DATE	ORDER	OFFICE NOTE
1)	10.08.2023	<u>SRK, J</u> <u>IA No.1 of 2023</u> Dispensed with for the present. <u>SRK, J</u> <u>CrI.P.No.5855 of 2023</u> Learned Assistant Public Prosecutor takes notice for respondent No.2 and seeks time to get instructions in the matter. Issue notice to respondent No.1. Learned counsel for the petitioners is permitted to take out personal notice to respondent No.1 by RPAD and file proof of service before the Registry within a period of three (3) weeks. The accusation against the petitioners herein/A1 and A2 is that they trespassed into the land belonging to the <i>de facto</i> complainant, situated in Survey No.26/2 of Pandalapaka village, Anandapuram Mandal, removed the cement poles and taken away the same and threatened the <i>de facto</i> complainant with dire consequences. Learned counsel for the petitioners submits that 1st petitioner herein/A1 was in possession of Ac.0.40 cents of land in the same Survey No.26/2,	

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		which was purchased by his father-in-law under a registered sale deed, vide document bearing No.1735 of 1959, dated 24.08.1959 and with regard to the ownership of the said property, a civil suit is pending between both the parties before the competent civil Court. When there is a scramble with regard to ownership of the subject property before the competent civil Court, the <i>de facto</i> complainant has resorted in filing the present complaint against the petitioners herein. In view of the aforesaid reasons, there shall be interim stay of all further proceedings including appearance of the petitioners herein/A1 and A2 in CC No.803 of 2020 on the file of learned VI Additional Metropolitan Magistrate, Bheemunipatnam, Visakhapatnam district, for a period of eight (8) weeks. List the matter after six (6) weeks. SRK, J Nsr	

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