

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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CRIMINAL PETITION No.6698 of 2015

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Between:

M/s.Blue Moon Hotels Pvt. Ltd., & 4 others
.. Petitioners/ accused Nos.1, 2, 3,4 and 7

And

The State of Telangana, rep. by its
Public Prosecutor, High Court, Hyderabad & another.
.. Respondents/ Complainant

DATE OF JUDGMENT PRONOUNCED: 31-07-2015

SUBMITTED FOR APPROVAL:

**HONOURABLE Dr. JUSTICE B.SIVA SANKARA
RAO**

1. Whether Reporters of Local newspapers
Yes/No
may be allowed to see the Judgment?

2. Whether the copies of judgment may be
marked to Law Reporters/Journals

Yes/No

3. Whether Their Lordship wish to
see the fair copy of the Judgment?

Yes/No

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CrI.P. No.6698 of 2015

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ORDER :

This Criminal Petition is filed by the petitioners/

accused Nos.1 to 4 and 7, under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.15 of 2015 on the file of XXIII Special Magistrate, Errmanzil, Hyderabad, taken cognizance for the offence punishable under Section 138 read with 141 and 142 of N.I Act against the petitioners outcome of private complaint of the 2nd respondent—de facto complainant.

2) Heard learned counsel for the petitioners/ accused Nos.1 to 4 and 7 and 1st respondent—State represented by learned Public prosecutor before admission and before ordering notice to 2nd respondent—de facto complainant and perused the material.

3) The facts falls short to admit the application filed under Section 482 Cr.P.C to quash the proceedings, the same is disposed of giving liberty to the petitioners to file an application under Section 239 Cr.P.C before hearing any charges if any to discharge from the Prosecution material vide ***State of Orissa vs. Debendra Nath Padhi***^[1] and also giving liberty to the petitioners to approach the trial Court by moving an application under Rule 37 Cr.R.P to permit one of the accused to represent others, the learned Magistrate shall hear and consider them with necessary conditions.

4) Miscellaneous petitions, if any pending in this Criminal Petition, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

31.07.2015
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HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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Crl.P. No.6698 of 2015

Date:31.07.2015

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[\[1\]](#) AIR 2005 SC 359