

**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.6601 of 2015

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Between:

Kota Pydithali

..Petitioner/ Petitioner

And

State, SHO, Prathipadu P.S, Rep. by A.P.P.Grade-II,
Rep. by its Public Prosecutor
High Court of Judicature, Hyderabad,
For the State of Telangana & For the State of Andhra Pradesh,
High Court Buildings, Hyderabad & another

.. Respondents/ Accused Nos.1 to 3

DATE OF JUDGMENT PRONOUNCED: 03-08-2015

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

CRIMINAL PETITION No.6601 of 2015

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ORDER :

This Criminal Petition is filed by the Petitioner under Section 482 Cr.P.C seeking to quash the order dated 07.06.2015 passed in CrI.P.M.P. No.514 of 2013 in C.C. No.417 of 2011 on the file of Judicial First Class Magistrate, Prathipadu.

2) Heard learned counsel for the petitioner and 1st respondent —State before admission and before ordering notice to 2nd respondent— de facto complainant. Perused the material on record.

3) As the petition relied as infructuous by subsequent judgment of learned Magistrate, Prathipadu in C.C. No.417 of 2011 dated 23.04.2015 to refund of Rs.1,00,000/- in deposit made by the petitioner, who is a third party to the Criminal Case being owner of the custody, CrI.P.M.P. No.1744 of 2011, to be reinstated to him after expiry of appeal time and since the appeal time of three months expired, he can file a check petition and take back the amount by approaching the learned Magistrate.

4) Accordingly, the Criminal Petition is disposed of.

5) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.03.08.2015

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HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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