**HIGH COURT FOR THE STATE OF TELANGANA**
**AT HYDERABAD**

MONDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

**PRESENT**
**THE HONOURABLE SRI JUSTICE T.VINOD KUMAR**

**CRIMINAL PETITION NO: 7573 OF 2019**

**Between:**

Shree Sai Baba Movies, represented by its sole Proprietor Yalamanchili Sai Babu S/o.Nageswar Rao,

**...PETITIONER/ACCUSED**

**AND**

1. The State of Telangana, rep. by its Public Prosecutor, High Court of Telangana.
2. M/s. Prasad Film Laboratories Private Limited, Rep. by Authorized Representative A.Rajesh, L.V.Prasad Marg, Banjara Hills, Hyderabad -34.

**...RESPONDENTS**

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the C.C.No.364 of 2015 on the file of the VII Special Magistrate, Hyderabad at Erramanzil.

**I.A. NO: 2 OF 2019**

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay of all the proceedings in C.C.No.364 of 2015 on the file of the VII Special Magistrate, Hyderabad at Erramanzil pending disposal of the above criminal petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri.C.HANUMANTHA RAO, Advocate for the Petitioner and of the Public Prosecutor, High Court of Telangana on behalf of the Respondent No.1 and Sri.B.Nalin Kumar, Advocate for the Respondent No.2.

The Court made the following: ORDER

**THE HON'BLE SRI JUSTICE T.VINOD KUMAR**

**CRIMINAL PETITION No.7573 of 2019**

**ORDER**:

This criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in C.C.No.364 of 2015 on the file VII Special Magistrate, Hyderabad at Erramanzil, wherein the petitioner herein is arrayed as the sole accused.

2. The criminal petition is taken up for hearing today, i.e. 28.12.2020, through video conferencing.

3. Heard learned counsel for the petitioner, learned Additional Public Prosecutor appearing for respondent No.1 – State and Sri B.Nalin Kumar, learned counsel for respondent No.2.

4. It is seen from the record that, this Court, by order, dated 25.11.2019, ordered notice to respondent No.2 and granted interim stay of all further proceedings in C.C.No.364 of 2015 on 19.02.2020 and directed that the matter be listed on 17.03.2020, in anticipation of matter being taken up for hearing. However, due to present pandemic, the matter was not taken and subsequently, by virtue of the order of this court in suo moto WP.No.1 of 2020, the interim order granted by this Court is extended from time to time.

5. Learned counsel appearing for respondent No.2 also brought to the notice of this Court that the matter is ripe for hearing, inasmuch as the evidence was let in on behalf of the prosecution and witnesses were also cross-examined. It is also submitted by the learned counsel that the initial arguments also commenced in the matte before the trial court and at that stage, upon the petitioner approaching this Court by filing the present quash petition, this court granted interim stay. Learned counsel

for the petitioner, while admitting the fact that the examination and cross-examination of witnesses is complete, however, while disputing the submission of the learned counsel for the respondent no.2 of commencement of initial arguments, would submit that the arguments before the trial court are to be commenced.

6. Having regard to the above submissions, this Court is of the view that the interim stay granted by this Court on 20.02.2020 need not be extended further and the present quash petition can be disposed of by directing the trial Court to proceed with the hearing of the matter and adjudicate the subject CC in accordance with law.

7. Subject to the above observation, the criminal petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

Sd/-CH.VENKATESWARLU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The XVII Additional Chief Metropolitan Magistrate, Hyderabad.
2. The VII Special Magistrate, Hyderabad at Errramanzil.
3. The Station House Officer, Jubilee Hills Police Station, Hyderabad.
4. One CC to Sri C.Hanumantha Rao, Advocate (OPUC)
5. One CC to Sri B.Nalin Kumar, Advocate (OPUC)
6. Two CCs to Public Prosecutor (TG), High Court for the State of Telangana, Hyderabad (OUT)
7. Two CD Copies

Kj.

HIGH COURT

DATED:28/12/2020




ORDER

CRLP.No.7573 of 2019

Disposing the Crl.P.

25/01/2021