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CRL.M.P.No.9171 of 2022
and CrI.O.P.No.17955 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.M.P.No.9171 of 2022

and

CrI.O.P.No.17955 of 2009

- 1.M/s.Hughes Communications India Ltd.
Having its registered office at
1 Shivji Marg, Westend Greens,
N.H.8, New Delhi 110 038.
Through its authorised representative,
Ms.Sonali Khanna
Company Secretary of
M/s.Hughes Communications India Ltd.
- 2.Partha Banerjee
C/o.Hughes Communications India Ltd.
A company registered under the Companies Act,
Having its Registered Office at
1 Shivji Marg, Westend Greens,
N.H.8, New Delhi 110 038.
- 3.Pranav Roach,
C/o.Hughes Communications India Ltd.
A company registered under the Companies Act,
Having its Registered Office at
1 Shivji Marg, Westend Greens,
N.H.8, New Delhi 110 038.



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4.Vaibhav Magow,
C/o.Hughes Communications India Ltd.
A company registered under the Companies Act,
Having its Registered Office at
1 Shivji Marg, Westend Greens,
N.H.8, New Delhi 110 038.

5.Amit Mukherjee
C/o.Hughes Communications India Ltd.
A company registered under the Companies Act,
Having its Registered Office at
1 Shivji Marg, Westend Greens,
N.H.8, New Delhi 110 038.

6.Ujjwal Singh
C/o.Hughes Communications India Ltd.
A company registered under the Companies Act,
Having its Registered Office at
1 Shivji Marg, Westend Greens,
N.H.8, New Delhi 110 038.

... Petitioners/A-1 to 6

Versus

Sudhir Heggde,
Proprietor,
Zetra Hytes Inc.
3-A, Nanjappa Nagar,
Ravi Murugan Apartments,
Near Perks School,
Coimbatore - 641 045.

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 482 of the Code of Criminal Procedure to restore the order dated 21.06.2017 in CrI.O.P.No.17955 of 2009, which was dismissed for non-prosecution and restore the same for hearing on merits.



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and Crl.O.P.No.17955 of 2009

For Petitioner : Mr.P.Krishnamurthy
for Mr.M.Kandasamy

ORDER

This Criminal Miscellaneous Petition has been filed to restore Crl.O.P.No.17955 of 2009, which was dismissed for non-prosecution on 21.06.2017.

2. The learned counsel for the petitioner submitted that he has taken private notice to the respondent on 08.09.2022 and the same has been returned with an endorsement as “Addressee moved”. He has also filed an Affidavit of Service to that effect. Further submitted that on verification from the Lower Court, it is found that C.C.No.38 of 2009 is no more pending before the learned Judicial Magistrate - III, Coimbatore. In view of the same, the learned counsel seeks permission of this Court to withdraw this miscellaneous petition. Further submitted that as and when the cause of action arise with regard to C.C.No.38 of 2009, he may be permitted to agitate the same in the manner known to law. He has also made an endorsement in the petition to that effect.

M.NIRMAL KUMAR, J.



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and Crl.O.P.No.17955 of 2009

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3. In view of the submission and endorsement made by the learned counsel for the petitioner, this Criminal Miscellaneous Petition is dismissed as withdrawn with liberty to the petitioner to file a fresh petition in the manner known to law.

23.09.2022

Index: Yes/No
Internet: Yes/No
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To

The Public Prosecutor,
High Court, Madras.

CRL.M.P.No.9171 of 2022
and
Crl.O.P.No.17955 of 2009