

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

**THURSDAY THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE DR. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION NO: 886 OF 2017

Between:

The State Of Telangana, Rep. by the Public Prosecutor, For the State of Telangana, High Court of Judicature at Hyderabad.

...PETITIONER/ PETITIONER/COMPLAINANT

AND

DR. Panchapakosann Kalambur Visvanadan, S/o. K.Visvanathan, age 63 years, R/o. U.S.Citizen, 5305, USA, Presently residing at H.No.631, Champions-S, Driver Medonough, Georgia 30253, USA.

...RESPONDENT/APPELLANT/ACCUSED No.9

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 set aside the Order dt. 12.02.2016 passed by the VI Additional Chief Metropolitan Magistrate, Hyderabad in CrI.M.P. No.2795/2015 in C.C.No.268/2005 discharging the respondent/ accused of the charges U/s.420, 468, 471, 477-A & 120(B) IPC of P.S., CID and confirmed by the Hon'ble Special Judge for Economic Offences-cum-VIII Additional Metropolitan Sessions Judge, Hyderabad in CrI.R.P.No.82/2016, dt. 29.08.2016.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Public Prosecutor, Advocate for the Petitioner and the and of Sri Allam Ramesh, Advocate for the Respondent No. 2.

The Court made the following:

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.886 of 2017

ORDER:

1. Seeking the Court to quash the order that is rendered by the Court of Special Judge for Economic Offences-cum-VIII Additional Metropolitan Sessions Judge, Hyderabad, in CrI.R.P.No.82 of 2016, dated 29.08.2016, the present Criminal Petition is filed by the State.
2. Heard the submission of the learned Additional Public Prosecutor who is representing the petitioner as well as the learned counsel for the respondent.
3. By the submissions made, what could be perceived is that the respondent, who is arrayed as Accused No.9 in C.C.No.268 of 2005, on the file of the Court of VI Additional Chief Metropolitan Magistrate, Hyderabad, filed a petition under Section 239 Cr.P.C. vide CrI.M.P.No.2795 of 2015 seeking for discharge. The said Criminal Miscellaneous Petition was allowed through order dated 12.02.2016 and the respondent/Accused No.9 was discharged. Aggrieved by the same, the State filed a revision petition vide CrI.R.P.No.82 of 2016 that stood pending on the file of the Court of VIII Additional Metropolitan Sessions Judge,

Hyderabad. The Court, through order dated 29.08.2016, dismissed the said Criminal Revision Petition and therefore, seeking the Court to quash the said order, the State filed the present Criminal Petition.

4. While making his submission, learned counsel for the respondent brought to the notice of this Court the common order rendered in Crl.P.Nos.852, 853 and 887 of 2017, dated 11.02.2022, wherein and whereby the Criminal Petitions filed by the State challenging the orders in revisions petitions, which arose due to discharge of Accused Nos.3, 4 & 15, were dismissed.

5. Learned counsel for the respondent states that the present respondent/Accused No.9 also stands on the same footing and thus, the present Criminal Petition is liable to be dismissed.

6. Learned Additional Public Prosecutor did not state as to why a different view has to be taken from that of the common order that is rendered by this Court (by Dr.Justice G.Radha Rani) in Crl.P.Nos.852, 853 and 887 of 2017,

dated 11.02.2022. Also, this Court does not find any justifiable grounds to deviate with the opinion expressed by either the trial Court or the revisional Court. Therefore, this Court holds that the present Criminal petition deserves dismissal.

7. Resultantly, the Criminal Petition is dismissed.

8. Miscellaneous petitions pending, if any, shall stand closed.

Sd/-K.AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Judge for Economic Offences-Cum- VIII Additional Metropolitan Sessions Judge, Hyderabad.
2. The VI Additional Chief Metropolitan Magistrate, Hyderabad.
3. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri Allam Ramesh, Advocate [OPUC]
5. Two CD Copies

DL
plp

CHR

HIGH COURT

DATED:08/12/2022

ORDER

CRLP.No.886 of 2017

CRIMINAL PETITION IS DISMISSED



⑧ CHR
04/01/22