

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

**FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11851 OF 2022

Between:

1. JNJ Power Com System Ltd., Represented by its C.E.O., Manaen Srigiri, C/o. JNJ House, Plot No. 41, Phase -III, Cherlapally, Industrial Area, Hyderabad-500 051.
2. Manaen Srigiri, S/o. S. James, aged about 62 years, Occ. CEO JNJ Power Com Systems, O/o. JNJ House Plot No.41, Phase -III, Cherlapally Industrial area Hyderabad, -500 051, R/o. H.NO. 1-1-241/216, Street No.7, Bhavani Nagar, Kapra, ECIL Hyderabad
3. Rakha Thalitha, W/o. Manaen Srigiri, aged about 57 years, Occ. Director, JNJ Power Com System Plot No. 41, Phase-III, Cherlapally, Industrial Area Hyderabad -051, R/o. H.NO. 1-1-241/216, Street No.7, Bhavani Nagar, kapra ECIL Hyderabad.

...Petitioner/A1 to A3

AND

1. The State of Telangana, Represented by its Proprietor Public Prosecutor, High Court at Hyderabad.

...Respondent

2. Sri Shiv Shakti Industries, Represented by its Proprietor Kiran Agarwal, Off. Plot No.76A/1 a 768/1, Apparel Export Park Gundlapochampally, Medchal, Hyderabad - 500 014

...Respondent/Complainant

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 call for the records and after examining the same to quash the proceedings in FIR No.422/2021, dated 03-09-2021, of PS Balanagar, Cyberabad.

I.A. NO: 2 OF 2022

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 stay of all further proceedings in pursuance to the HR No.422/2021, dt.03/09/2021, of PS Balanagar, Cyberabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri LALA RAMU, Advocate for the Petitioner and the Additional Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondent No.2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11851 OF 2022

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners-Accused Nos.1 to 3 to quash the proceedings against them in FIR No.422 of 2021 pending on the file of Station House Officer, Balanagar Police Station, Cyberabad, registered for the offences punishable under Sections 406, 420 of I.P.C., Section 156(3) of Cr.P.C.

2. Heard learned counsel for the petitioners-Accused Nos.1 to 3 and learned Additional Public Prosecutor for the respondent No.1 - State. Perused the material on record.

3. A perusal of the record would reveal that in the course of business transactions cheques bearing Nos.939236, 939237, 939238 were issued. Since cheques were dishonoured with reason "funds insufficient" when presented for clearance, the present complaint is filed under Sections 406 and 420 of IPC. There are no specific allegations in the complaint to attract *prima facie* offences under Sections 406 and 420 of IPC.

4. For the aforesaid reasons, the petitioners herein shall not be arrested. Since the investigation is not yet completed, the petitioners herein are at liberty to take appropriate steps, if any charge sheet is filed.

5. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XI Metropolitan Magistrate at Kukatpally, Hyderabad
2. The Station House Officer, Balanagar Police Station, Hyderabad
3. Two CCs to Additional Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI. LALA RAMU, Advocate [OPUC]
5. Two CD Copies

PSR

HIGH COURT

KS,J

DATED:30/12/2022

ORDER

CRLP.No.11851 of 2022



DISPOSING OF THE CRIMINAL PETITION.

8
23/1/23
HVT