

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
THURSDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL REVISION CASE NO: 588 OF 2020

Between:

M. Sree Ramulu, I.P.S, S/o Sri M.Narayana

...Petitioner/Appellant/Accused

AND

1. State of Telangana, Through Inspector of Police, CIU, ACB, Hyderabad
 Represented by Public Prosecutor, High Court of Judicature for the State
 of Telangana, Hyderabad

Respondent/State

2. Mrs R K Ahalya Rani Gupta, W/o Sri R. Radhakrishna Gupta (died)
3. G.Radharishna Gupta S/o B Ghaziram Gupta, Occ. Business, R/o.Flat
 No.415, IV Floor, Janajest Residency, Narayanaguda, Hyderabad.
 R3 is brought on record as legal representative of deceased second
 respondent vide court order dated 22.09.2022 in 1A No.1 of 2022 in
 Crl.R.C. No.588 of 2020.

...Respondents/Defacto Complainant

Revision filed under Section 397 and 401 of Cr.P.C., praying that in the circumstances stated in the grounds filed in the Criminal Revision Case, the High Court may be pleased to call for the records relating to the dated 17/01/2020 passed by the IV Metropolitan Sessions Judge, Hyderabad in Crl A No. 651 of 2018, confirming the order dated 15/06/2018 passed in C.C. No. 29 of 2017, on the file of the Court of the XI Special Magistrate, Hyderabad and set aside the same in the interests of justice.

1A NO: 3 OF 2020

Petition under Section 482 of Cr.P.C., praying that in the circumstances stated in the petition and the grounds filed in Crl.R.C., the High Court may be pleased to STAY all further proceedings pursuant to the order dated 17/01/2020 passed by the IV Metropolitan Sessions Judge, Hyderabad in Crl.A.No. 651 of 2018, confirming the order dated 15/06/2018 passed in C.C. No. 29 of 2017, on the file of the Court of the XI Special Magistrate, Hyderabad including execution of NBW issued against the Petitioner herein, pending disposal of CRLRC No. 588 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and the order of the High Court dated 18.12.2020, 25.01.2021 made in IA No.3 of 2020, order dated 05.01.2021, 07.1.2022 made in CrI.R.C. and upon hearing the arguments of Sri Vivek, learned counsel appearing on behalf of Sri T S Anand Advocate for the Petitioner, Public Prosecutor for the Respondent No.1, Sri Thumu Chandra Shekar, Advocate for Respondent No.3, the Court made the following.

ORDER

The present Criminal Revision is filed by the petitioner - appellant - accused with a delay of (201) days, aggrieved by the judgment in Criminal Appeal No.651 of 2018 dated 17.01.2020 passed by the learned IV Additional Metropolitan Sessions Judge, Hyderabad, confirming the conviction under Section 138 of N.I. Act.

Vide order dated 18.12.2020, in I.A.No.3 of 2020, interim stay was granted as prayed for, by this Court. Thereafter, this case underwent several adjournments. However, on 07.11.2022, while condoning the delay of (201) days in preferring the appeal, extended the order of interim stay by directing the petitioner to deposit 20% of the cheque amount within three weeks from the date of the said order.

Today, on instructions, Sri Vivek, learned counsel appearing on behalf of Sri T.S.Anand, learned counsel for the petitioner - appellant - accused would submit that the 20% of the cheque amount was not remitted by the petitioner in accordance with the order of this Court dated 07.11.2022.

In the said circumstances, this Court deems it appropriate to direct the court concerned to issue non-bailable warrants against the petitioner herein and cause his appearance and the petitioner shall be sent to judicial custody. However, in the event of the petitioner paying 20% of the cheque amount as directed by this Court on 07.11.2022, the learned Magistrate may consider the application of petitioner for grant of bail or recalling warrants.

List the matter on 13.04.2023.

SD/- K. VENKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The IV Addl. Metropolitan Sessions Judge, Hyderabad
2. The XI Special Magistrate, Hyderabad
3. The Station House Officer, CIU, ACB, Hyderabad
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. One CC to Sri T S Anand Advocate [OPUC]
6. One spare copy

HIGH COURT

KS,J

DATED:23/02/2023

List on 13.04.2023

ORDER

CRLRC.No.588 of 2020

DIRECTION

