

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 2801 OF 2017

Between:

M/S Sri Lakshmi Marketing, SECUNDERABAD, Rep by its Proprietor, K.Santosh Kumar, Plot NO.103,C-Block, Kubera Towers, Opp Traffic Police Station, Trimulgherry, Secunderabad (accused)

...PETITIONER/ACCUSED.

AND

1. M/S MOOSANI MARKETING AND ANOTHER REP. BY P.P., 8-1-332/3/5, Aziz Bagh, Tolichowki, Hyderabad, Rep by its Partner Mohd. Ashraf Moosani, S/o Mohd Youns Moosani, aged 37 yrs ,Occ Business R/o5-6-630, Aghapura, Nampally, Hyderabad
2. State of Telangana, Rep by its Public Prosecutor, High Court At Hyderabad

...RESPONDENT/COMPLAINANTS

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 order, dt. 21.3.2017 .2011 passed in Crl. M P 347 of 2017 in CC 14 of 2013 on the file of the XV Judge -Cum-XIX Additional Chief Metropolitan Magistrate Court, Hyderabad by allowing Crl. M P 347 of 2017 for cross examination of PW1 in CC 14 of 2013

I.A. NO: 1 OF 2017(CRLPMP. NO: 2759 OF 2017)

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 including the personal appearance of the petitioners/accused in CC 14 of 2013 on the file of the XV Judge -Cum-XIX Additional Chief Metropolitan Magistrate Court, Hyderabad pending disposal of the Criminal Petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri RAVI KUMAR TOLETY, Advocate for the Petitioner and the Public Prosecutor on

behalf of the Respondent No.2 and of Sri. KHAJA AIJAZUDDIN Advocate for the Respondent No.1

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.2801 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") by the petitioner-accused to quash the order dated 21.03.2017 passed in CrI.M.P.No.347 of 2017 in C.C.No.14 of 2013 by the learned XIV Additional Judge-cum-XVIII Additional Chief Metropolitan Magistrate, Hyderabad.

2. None appears for the petitioner. Perused the record.
3. The petitioner has filed an application under Section 311 of Cr.P.C. to provide an opportunity to cross examine PW1 vide CrI.M.P.No.347 of 2017 in C.C.No.14 of 2013. Having found that the petitioner has filed the application at the stage of examination under Section 313 Cr.P.C. to drag on the matter, the learned Magistrate has dismissed the said application. Questioning the same, petitioner filed this criminal petition.
4. As seen from the record, the case was listed earlier on 06.04.2017, 10.04.2017 and 11.04.2017 and again it was listed today i.e., 31.08.2023. But, today there is no representation for the petitioner. No interim orders were passed by this Court earlier and the

stage of the case before the trial Court is not known. Further, on going through the order, I find no infirmity in the order passed by the learned Magistrate.

5. For the said reasons, the Criminal Petition is dismissed.

Miscellaneous applications, if any, pending, shall stand closed.

Sd/- T. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XV Judge –Cum- XIX Additional Chief Metropolitan Magistrate Court, Erramangil, Hyderabad.
2. The Station House Officer, Police station, Golconda Hyderabad
3. One CC to SRI. RAVI KUMAR TOLETY Advocate [OPUC]
4. Two CC to the PUBLIC PROSECUTOR (TG) Advocate High Court for the state of Telangana [OUT]
5. One CC to SRI. KHAJA AIJAZUDDIN Advocate [OPUC]
6. Two CD Copies

KA /DL



HIGH COURT
PDATED:31/08/2023

ORDER

CRLP.No.2801 of 2017



DISMISSED

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MM
26/10/2023