

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**FRIDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

CRIMINAL PETITION NO: 10343 OF 2015

Between:

Smt.Uma Maheshwari, D/o. Sri. A.K.C.Natarajan,
W/o. Sr.A.K.Venkata Prasad, Occ House Wife,
R/o. C-111, NE Extension, 5th Cross,
Fort Station Road, Thillai Nagar,
Trichy-620018, Tamil Nadu State.
Temporarily came down to Hyderabad (T.S.)

...Petitioner/Accused

AND

1. Sri Thatikonda Raju, Secunderabad,
S/o. Late. Sri Chittaraiah, Occ Advocate and Business,
R/o. H.No. 1-21-331, Bank Colony,
Venkatapuram, Secunderabad-T.S
2. The 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 proceedings in CC.No. 382 of 2015 on the file of the XVII Additional Chief Metropolitan Magistrate Hyderabad at Nampally.

I.A. NO: 1 OF 2015(CRLPMP. NO: 10364 OF 2015)

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 appearance of the Petitioner/accused in CC.No. 382 of 2015 on the file of XVII Additional Chief Metropolitan Magistrate Hyderabad at Nampally.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri N. Mukund Reddy, Advocate for the Petitioner and of Ch. Venu Kumar, Advocate, for the Respondent No.1 and the Assistant Public Prosecutor on behalf of the Respondent No. 2.

The Court made the following: ORDER

1

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL

CRIMINAL PETITION No.10343 OF 2015

ORDER:

This criminal petition is filed seeking to quash the proceedings in C.C.No.382 of 2015 on the file of XVII Additional Chief Metropolitan Magistrate, Hyderabad at Nampally.

2. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor for respondent state.
3. During the course of proceedings learned counsel for the petitioner would submit that the allegations made in the complaint filed under section 200 Cr.P.C. for the offence under section 138 of Negotiable Instruments Act is that the defacto complainant had stated that he had given a hand loan on 7.5.2010 for an amount of Rs.5,00,000/- to the accused, who is the petitioner herein and accordingly the petitioner has issued an undated cheque No. 417477 drawn on State Bank of India M.J.Road, Hyderabad.
4. Learned counsel while drawing the attention of the Court would submit that it is apparent on record that the citizenship of the petitioner is not in India and she had acquired New Zealand

citizenship and is living in abroad and the averments made in the complaint are not believable and do not stand for legal scrutiny and hence seeks to allow the criminal petition.

5. Learned Assistant Public Prosecutor would submit that unless and until all the aspects are examined by the trial Court the interference of this Court is not warranted and hence seeks to dismiss the petition.

6. This Court is of the view that the trial court upon examining all these aspects would have concluded the trial. However, the petitioner is at liberty to work out alternative remedies as available under law. So far as the appearance of the petitioner is concerned the same is dispensed with unless and until it is required by the trial Court.

7. With these observations this Criminal petition is disposed of.

Miscellaneous Petitions, pending if any, shall stand closed.

**SD/- K. VENKAIAH
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The XVII Additional Chief Metropolitan Magistrate Hyderabad at Nampally
2. One CC to Sri N. Mukund Reddy, Advocate [OPUC]
3. One CC to Sri CH. Venu Kumar, Advocate [OPUC]
4. ~~One CC to~~ The Public Prosecutor, High Court for the State of Telangana at Hyderabad [OPUC]
5. Two CD Copies

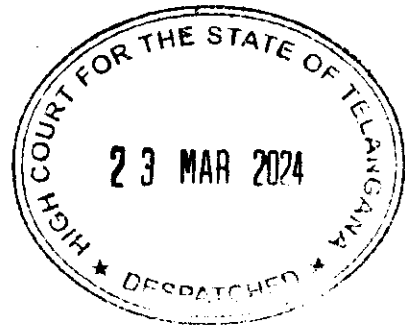
CHP

HIGH COURT

DATED: 15/12/2023

ORDER

CRLP.No.10343 of 2015



CRIMINAL PETITION IS
DISPOSED OF

⑧ CHR
6/3/24