

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWELFTH DAY OF JANUARY

TWO THOUSAND AND TWENTY FOUR

:PRESENT:**THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI****CRIMINAL PETITION NO: 615 OF 2024****Between:**

1. M. Phani Shankar, S/o M. S. S. Shastri (A-5)
2. Gopi Krishna Vemula, S/o Kameshwar Rao Vemula (A-6)
3. Yerraguntla Teja, S/o Nagendra (A-7)
4. Irigela Hari Krishna Reddy S/o Veebudhi Reddy (A-8)
5. Vamshi Krishna Vemula, S/o Ramadevi (A-9)
6. Shanmugaperumal, S/o Shankaralingam (A-10)
7. Nandishishwaran Samraj, S/o Samraj (A-12)
8. Rahul Surapaneni, S/o Subbarao (A-13)

Petitioners/Accused**AND**

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of for the State of Telangana at Hyderabad. (R-1)
2. Sri Kishan Sanku, S/o. Venkateswara Rao, Occ Head Human Resources and Operations At Digi Sprint Solutions Pvt. Ltd., Hyderabad R/o. Green Blossoms Apartment, Golden Mail Road Kokapet, Gandipet, Rangareddy District (R-2)

Respondents/Defacto Complainant

WHEREAS the Petitioners above named through their Advocate Sri Abhishek Ruthwick presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the CrI.P, the High Court may be pleased to call for the records in connection with C. C. No.1748/2023 on the file of the court of XII Addl. Metropolitan Magistrate at

Kukatpally, Rangareddy District and quash the same, so far as the petitioners are concerned;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri Aphishek Ruthwick Advocate for the Petitioners, Public Prosecutor for Respondent No.1 directed Issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz;

Sri Kishan Sanku S/o. Venkateswara Rao, Occ Head Human Resources and Operations At Digi Sprint Solutions Pvt. Ltd., Hyderabad R/o. Green Blossoms Apartment, Golden Mail Road Kokapet, Gandipet, Rangareddy District

are directed to show cause on or before 27.02.2024 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 1 OF 2024

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the petition, the High Court may be pleased to direct stay of all further proceedings including appearance of the Petitioners in connection with C. C. No.1748/2023 on the file of the court of XII Addl. Metropolitan Magistrate at Kukatpally, Rangareddy District pending disposal of CRLP No. 615 of 2024, on the file of the High Court.

The Court made the following:

ORDER

Issue notice to respondent No.2.

Learned counsel for the petitioners is permitted to take out personal notice on the respondent No.2 by RPAD and file proof of service in the registry.

Learned senior counsel appearing for the petitioners submitted that the petitioners are all employees of one company by name Kognivera IT Solutions Private Limited and on the ground that there is a theft of technology from the company to another company by name Digisprint, the present complaint has been filed.

However, it is noticed that the company Kognivera IT Solutions has not been made a party here nor is the complaint given by the Digisprint. Further as stated by the learned senior counsel it appears that the complainant is an employee of the Digisprint.

It is also submitted that the main accused i.e., A1, A2, A3, A4 & also A10 are all absconding and that without issuing notices to the petitioners, they have been made as accused in this case. It is submitted that in the FIR, only the name of A5 has been pointed out and other accused have been added subsequently. It is submitted since the main complaint is against the Accused Nos.1 to 4, if they appear, then the petitioners are also going to participate and co-operate with the Police for investigation. They also denied the allegations made against them with regard to the transfer of technology without permission.

In view of the above submissions and also that the petitioners are all employees of a company which has not made a party to the complaint, this Court is inclined to stay all further proceedings.

List this matter on 27.02.2024.

Sd/- P. GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XII Addl. Metropolitan Magistrate at Kukatpally, Rangareddy District
2. The Station House Officer, Madhapur Police Station, Cyberabad
3. Sri Kishan Sanku, S/o. Venkateswara Rao, Occ Head Human Resources and Operations At Digi Sprint Solutions Pvt. Ltd., Hyderabad R/o. Green Blossoms Apartment, Golden Mail Road Kokapet, Gandipet, Rangareddy

District (by RPAD- along with a copy of petition and memorandum of grounds)

4. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. One CC to SRI ABHISHEK RUTHWICK Advocate [OPUC]
6. One spare copy

Note: In the order in Cri.P. No.615 of 2024 dated 12.01.2024 the last paragraph is deleted vide C.O. dated 30.01.2024.

Substitute this amended order in place of the order which was already dispatched on 23.01.2024

Sd/- P. GOWRI SHANKAR
ASSISTANT REGISTRAR

HIGH COURT

TMD,J

DATED:12/01/2024
30/01/2024

List on 27.02.2024

AMENDED NOTICE BEFORE ADMISSION

CRLP.No.615 of 2024

STAY

