

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

WEDNESDAY, THE FIFTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

I.A.NO.1 OF 2016

IN/AND

CRIMINAL APPEAL NO: 377 OF 2025

Appeal under Section 378(4) of Cr.P.C. being aggrieved by the Judgment dated 02-11-2015 made in CrI.A.No.546 of 2013 on the file of the court of the III Additional Metropolitan Sessions Judge, At Hyderabad by reversing the Judgment of conviction dated 31-05-2013 made in CC No. 105 of 2011 on the file of the XVI Additional Judge-Cum- XX Additional Chief Metropolitan Magistrate, Hyderabad was set aside and the accused was acquitted U/s.255(1) CrI.P.C. for the offences punishable u/s 138 of NI Act.

Between:

J. Ramulu, S/o J. Narasimha, Aged 59 years, Occ- Business. R/o Laxmikala Theatre, Moosapet, Ranga Reddy District

...APPELLANT/RESPONDENT

AND

1. T. Ramachander Rao, S/o T.S. Rao. Aged 61 years. Occ- Business, R/o H.No. 8-2-506/1/C/1, Road No.6, Banjara Hills, Hyderabad.

...APPELLANT/ACCUSED

2. The State of Telangana, Represented by its P.P. High Court at Hyderabad

...RESPONDENT/RESPONDENT

I.A.NO.1 OF 2016(CRLAMP. NO: 743 OF 2016)

Petition under Section 482 of CrPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to condone the delay of 64 days in filing CrI.A against the Judgment dated.02.11.2015 made in CrI.A.No.546 of 2013 on the file of the Hon'ble III Addl. Metropolitan Sessions Judge, at Hyderabad.

I.A.NO.3 OF 2016

Petition under Section 378(4) of CrPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to permit the petitioner to file the Criminal Appeal against the order dated 2.11.2015 made in CrI.A.No.546 of 2013 on the file of the Hon'ble III Addl.MSJ, Hyderabad, under Section 378(1) of Cr.P.C.

Counsel for the Appellant: Ms. NANDITA GUHA/LEGAL AID

**Counsel for the Respondent No.2: SRI M. VIVEKANANDA REDDY,
PUBLIC PROSECUTOR**

The Court delivered the following: COMMON JUDGMENT

THE HON'BLE SRI JUSTICE K.SURENDER

I.A.No.1 OF 2016
IN/AND
CRIMINAL APPEAL NO.377 OF 2025

COMMON JUDGMENT:

1. This Court, by order, dated 08.01.2025, in I.A.No.1 of 2016, directed the appellant to file proof of service by the next date of hearing. Till date, no proof of service is filed, pursuant to the direction of this Court. There is a delay of 64 days in filing the criminal Appeal.

2. In the said circumstances, I.A.No.1 of 2016 is dismissed on the ground of non-service of notice on the respondent. Consequently, the Criminal Appeal is also dismissed. In view of the judgment reported in ***Syam Dondiya v. State of Andhra Pradesh***¹, the Registry is directed to number the appeal.

3. Miscellaneous petitions including I.A.Nos.2 and 3 of 2016, also stand dismissed.

//TRUE COPY//

Sd/- T. KRISHNA KUMAR
JOINT REGISTRAR

SECTION OFFICER

To,

1. The III Additional Metropolitan Sessions Judge, At Hyderabad
2. The XVI Additional Judge-Cum- XX Additional Chief Metropolitan Magistrate, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad[OUT]
4. One CC to Ms. Nandita Guha Advocate [OPUC]
5. Two CD Copies
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HIGH COURT

DATED:05/03/2025

COMMON JUDGMENT
I.A.NO.1 OF 2016
IN/AND
CRLA.No.377 of 2025



DISMISSING THE I.A.
AND CRIMINAL APPEAL

8
08/10/25
b.o.s