

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

**THURSDAY, THE FIFTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION NO: 3099 OF 2026

Between:

Katti Yadagiri, S/o. K. Ushaiah, Aged about 70 years, Occ. Retired GHMC Employee, R/o. H.No.6-4-424/7, Krishna Nagar Colony, Bholakpur, Secunderabad.

...Petitioner/Accused/Appellant

AND

1. The State of Telangana, Represented by Public Prosecutor, High Court, Telangana **...Respondent**
2. Gaddam Ashok Kumar Yadav, S/o. Late. G. Laxmaiah, Aged about 50 years Occ. Business, R/o. H.No.1-11-299/1, Bhagawantapur, Begumpet, Secunderabad

...Respondent/Complainant

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash of the order dated 21.08.2025 passed in CrI. M.P. No. 1667 of 2025 in CrI. A. No. 411 of 2025 on the file of the Special Judge for Trial of Offences U/ S.C.s and S.Ts (POA) Act- cum -VI Addl. Sessions Judge, Secunderabad.

I.A. NO: 1 OF 2026

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to direct the Special Judge for Trial of Offences U/ S.C.s and S.Ts (POA) Act- cum- VI Addl. Sessions Judge, Secunderabad, to not initiate any precipitative action against the petitioner in furtherance of the order dated 21.08.2025 passed in CrI.M.P.No. 1667 of 2025 in CrI.A.No.411 of 2025.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr. L.N. Bhadriraju, Advocate for the Petitioner and the Mr. Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondent No.2.

The Court made the following: ORDER

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

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.3099 of 2026

Date: 05.03.2026

Between:

Katti Yadagiri

...Petitioner

AND

The State of Telangana,
Represented by Public Prosecutor,
High Court, Telangana and another

...Respondents.

ORDER

This Criminal Petition is filed by the petitioner/appellant/
accused questioning the order dated 21.08.2025, passed by the

learned Special Judge for Trial of Offences under SCs and STs (POA)

Act-cum-VI Additional Sessions Judge, Secunderabad, in

Crl.M.P.No.1667 of 2025 in Crl.A.No.411 of 2025 in C.C.NI.No.71

of 2024 (Old STC NI.No.6289 of 2023), on the ground that the

Sessions Judge imposed an onerous condition.

2. Heard Mr.L.N.Bhadriraju, learned counsel for the petitioner
and Mr.Jithender Rao Veeramalla, learned Additional Public
Prosecutor for respondent No.1.

3. With the consent of both the learned counsel, the criminal petition is disposed of at the admission stage.

4. Notice in respect of respondent No.2 is dispensed with, on the ground that the petitioner has filed the present criminal petition only challenging the imposition of the condition to deposit 20% of the compensation amount, and no relief is sought against respondent No.2.

5. Learned counsel for the petitioner submitted that the learned trial Court convicted the petitioner for the offence under Section 138 of the Negotiable Instruments Act, 1881 (for short 'NI Act') and sentenced him to undergo simple imprisonment for a period of one

~~year and to pay compensation of double the cheque amount i.e.,~~

Rs.3,40,000/- , in default of which, to undergo simple imprisonment for a period of three months. Aggrieved thereby, the petitioner preferred an appeal before the learned Sessions Judge, who, while suspending the sentence imposed by the trial Court, imposed a condition directing the petitioner to deposit 20% of the compensation amount, within 60 days from the date of the order.

6. Learned Additional Public Prosecutor submitted that, in similar circumstances, this Court by placing reliance upon the principle laid down by the Hon'ble Supreme Court in *Sanjabij Tari v. Kishore S. Borcar*¹, has reduced the compensation amount from 20% to 10%.

7. Taking into consideration the submissions made by the respective parties and the principle laid down by Hon'ble Supreme Court in *Sanjabij Tari* (supra), the impugned order dated 21.08.2025, passed by the learned Special Judge for Trial of Offences under SCs and STs (POA) Act-cum-VI Additional Sessions Judge, Secunderabad, in CrI.M.P.No.1667 of 2025 in CrI.A.No.411 of 2025 in C.C.NI.No.71 of 2024 (Old STC NI.No.6289 of 2023) is modified, directing the petitioner to deposit 10% of the compensation amount

within a period of four (04) weeks from today. In default of depositing the said amount within the stipulated period, the learned Sessions Judge is entitled to proceed with the matter in accordance with law.

8. Accordingly, the criminal petition is disposed of.

¹ 2025 SCC OnLine SC 2069

Pending miscellaneous applications, if any, shall stand closed.

SD/- P.C.SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Judge for Trial of Offences U/ S.C.s and S.Ts (POA) Act cum VI Additional Sessions Judge, Secunderabad
2. One CC to Mr. L.N. Bhadriraju, Advocate [OPUC]
3. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
4. Two CD Copies

Kam/PSL

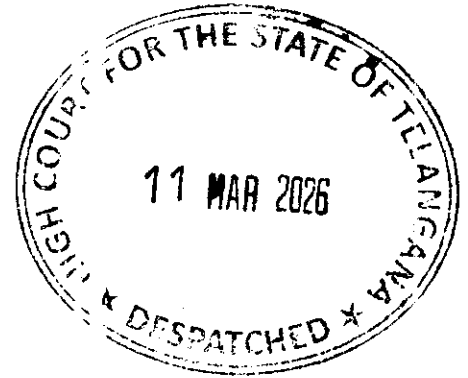


HIGH COURT

DATED: 05/03/2026

ORDER

CRLP.No.3099 of 2026



DISPOSING OF THE CRIMINAL PETITION

7/11/26
11/3/26