

APHC010146042025



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3396]

THURSDAY, THE EIGHTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL APPEAL NO: 208/2025

Between:

M/s Shriram Finance Ltd

...APPELLANT

AND

The State Of Andhra Pradesh and Others

...RESPONENT(S)

Counsel for the Appellant:

1.SAI SANJAY SURANENI

Counsel for the Respondent(S):

1.PUBLIC PROSECUTOR

The Court made the following:

JUDGMENT :

Impugning the Judgment dated 11.11.2024 in S.T.C.No.4948 of 2023 passed by the learned Special Magistrate-VII, Visakhapatnam, the present Criminal Appeal is filed.

2. Heard Ms.A.Priyanka, learned Counsel representing Sri Sai Sanjay Suraneni, learned counsel for the appellant/complainant and Ms. K.Priyanka Lakshmi, learned Public Prosecutor on behalf of the State is in attendance. As can be seen from the proof of service that the item delivered. None represented for the respondent/accused.

3. A fair look at the impugned Judgment passed by the learned Trial Judge in S.T.C.No.4948 of 2023 dated 11.11.2024 on the file of learned Special Magistrate-VII, Visakhapatnam would show that the Complainant called absent, no representation for the complainant, cost is reported as not paid to the DLSA, NBW continuation batta is also reported as not paid. The Complaint was dismissed for default.

4. Considering the submissions made, in the interest of justice, to grant a fair opportunity to the appellant/complainant to prosecute the matter, the Criminal Appeal is allowed. The impugned order is set aside. The matter is remanded to the Trial Court for fresh disposal of the case according to law. Learned Trial Judge is directed to dispose of the case as expeditiously as possible. The appellant is directed to appear before the Trial Court on 13.05.2025 without fail and take all appropriate steps for execution of NBW by filing a petition for appointment of Advocate Commissioner for execution of Non-Bailable Warrant issued against the respondent/accused on payment of fees to be fixed by the Court. The copy of the order shall be communicated forthwith.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

Dr. VENKATA JYOTHIRMAI PRATAPA, J

Date: 08.05.2025

Note: CC today,

B/o.

UPS

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HON'BLE Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Crl.A.No.208 of 2025

Dt.08.05.2025

*Note: CC today,
B/o.
UPS*