

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

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



PRESENT
HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL APPEAL NO: 208 OF 2025

Appeal under Section 419(4) of BNSS, aggrieved by the Order dated 11.11.2024 passed in S.T.C. No. 4948 of 2023 on the file of the Hon'ble Special Magistrate-VII, Vishakhapatnam and consequently restore the S.T.C. No. 4948 of 2023 on the file of the Special Magistrate-VII, Vishakhapatnam

Between:

M/s Shriram Finance LTD, (Formerly M/s. Shriram Transport Finance Ltd.)
Having its Branch Office at 2nd Floor, Vegi Plaza, Opp. NTR market Yard,
Ring Road, Anakapalli, Rep. by its Branch Manager cum GPA Holder, Sri.
Venkata Raghu.

...APPELLANT

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Andhra Pradesh, Amaravati.

...RESPONDENT No.1/ RESPONDENT No.1

2. Sateesh Adari, S/o. A. Krishna, Aged about 41 years, R/o D/o. 15-11-27,
Park Street, Gavarapalem, Nidanam Doddi Anakapalli, Visakhapatnam,
Buddam, Andhra Pradesh

...RESPONDENT No.2/ RESPONDENT No.2



**Counsel for the Appellant : Ms A.PRIYANKA representing SRI SAI
SANJAY SURANENI**

**Counsel for the Respondent No.1 : Ms K.PRIYANKA LAKSHMI,
ASSISTANT PUBLIC PROSECUTOR**

The Court made the following JUDGMENT:

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

...RESPONDENT(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.

Sd/- E KAMESWARA RAO
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

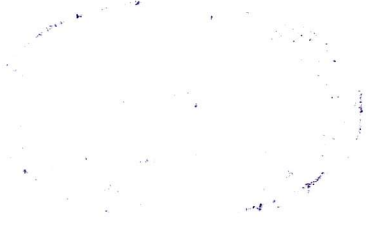
To,

1. The Special Magistrate VII, Vishakhapatnam, Vishakhapatnam District
[with records if any]
2. One CC to Sri Sai Sanjay Suraneni, Advocate [OPUC]

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3. Two CC to Public Prosecutor, High Court of Andhra Pradesh at Amaravathi. [OUT]
 4. The Section Officer, Criminal Section, High Court of Andhra Pradesh at Amaravati
 5. Three CD Copies

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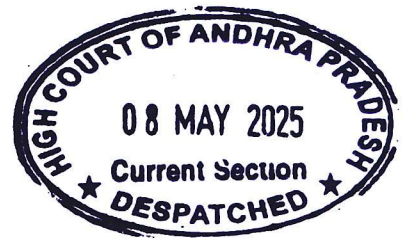


HIGH COURT

DATED: 08/05/2025

JUDGMENT

CRLA.No.208 of 2025



ALLOWING THE CRIMINAL APPEAL