

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE NINETEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX



: PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO
CRIMINAL PETITION NO: 3372 OF 2025

Between:

M/s. Sri Dega Arts, Rep. by its Proprietor, Sri. Deva Kumar Reddy, Aged about 54 years, R/o.46/A, Murugappa Road, Kotturpuram, Chennai, Tamilnadu

Petitioner/Accused

AND

1. The State of Andhra Pradesh, Rep. by the Public Prosecutor, High Court of Andhra Pradesh, Amaravathi
2. A. Mallikarjuna, S/o. A. Seenaiah, Aged about 59 years, R/o. Flat No. 105, H.No.6-3-661/1, Rekha Towers, Street No.8, Somajiguda, Hyderabad

Respondents/Complainants

Petition under Section 528 of BNSS is filed praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to call for the records in and relating to C.C.No.50/2016 on the file of the Court of the Hon'ble Judicial Magistrate of First Class, Dharmavaram and quash the same in so far as the Petitioner is concerned.

IA NO: 2 OF 2025

Petition under Section 528 of BNSS is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings including appearance of the Petitioners in C.C.No.50/2016 on the file of the Court of the Hon'ble Judicial Magistrate of First Class, Dharmavaram, Pending disposal of CRLP No.3372 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Ms Sodum Anvesha, Advocate for the Petitioner, and of Public Prosecutor for the Respondent No.1, the Court made the following.

ORDER

Heard Sri Veera Reddy, learned Senior Counsel appearing for Ms. Sodum Anvesha, learned Counsel for the Petitioner.

The cheque in question has a chequered, prolonged and complex procedural history. The cheque, issued in the year 2009, was allegedly dishonoured on 05.03.2009.

Consequent thereto, the complainant instituted proceedings by filing a complaint on 26.03.2009 before the Court of the XIV Additional Chief Metropolitan Magistrate, Hyderabad. The said Court, however, returned the complaint on 08.09.2014 on the ground of lack of territorial jurisdiction.

Subsequently, the Respondent No.2 presented the complaint before the Court of the Special Magistrate, Fast Track Court-III, Saidapet, Chennai. That Court too returned the complaint for want of territorial jurisdiction.

Thereafter, the Respondent No.2 once again filed the complaint before the XIV Additional Chief Metropolitan Magistrate, Hyderabad, and the matter was eventually transferred on the ground of jurisdiction to the Court of the Judicial Magistrate of First Class, Dharmavaram.

The learned Jurisdictional Magistrate took cognizance in CrI.M.P.No.629/2019. Aggrieved thereby, the Petitioner preferred a Revision before the learned Sessions Judge, Ananthapuram, which came to be dismissed. The record discloses several significant aspects pertaining to limitation and issues of territorial jurisdiction that warrant closer examination.

Having regard to the totality of the facts and circumstances, all further proceedings in C.C.No.50 of 2016 on the file of the Judicial Magistrate of First Class, Dharmavaram, are stayed until the next date of hearing.

Post after eight weeks.

SD/- T. SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, Dharmavaram
2. A. Mallikarjuna, S/o. A. Seenaiah, Aged about 59 years, R/o. Flat No. 105, H.No.6-3-661/1, Rekha Towers, Street No.8, Somajiguda, Hyderabad (by RPAD)
3. One CC to M/s. Sodum Anvesha, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of Andhra Pradesh [OUT]
5. One spare copy

HIGH COURT

DR.YLR, J

DATED: 19/02/2026

POST AFTER EIGHT WEEKS

ORDER

CRLP.NO.3372 OF 2025

INTERIM STAY

