

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE THIRD DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HON'BLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION NO: 7244 OF 2023

Between:

Sri. Prasanna Kasturi, S/o. (Late) T. Kasturi,

...Petitioner/Accused

AND

1. The State of Telangana, Represented by the Public Prosecutor, High Court of Telangana at Hyderabad.
2. M/s. NCC Ltd, (Formerly Nagarjuna Construction Company Limited), having its registered office at NCC house, Madhapur, Hyderabad-500081, represented by Mr. P. Shiva Ram Chief Manager, Aged 48 years.

...Respondent

WHEREAS the Petitioner above named through his Advocate Sri. DURGA BOSE GANDHAM presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to quash the Calendar Case-NI No. 10921/2022 pending on the file of Hon'ble XI Metropolitan Magistrate at Manoranjan Complex, Nampally, Hyderabad against the Petitioner herein arrayed as Accused No. 3.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri. DURGA BOSE GANDHAM, Advocate for the Petitioner and the Public Prosecutor, for the Respondent No.1, directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Mr. P. Shiva Ram Chief Manager, M/s. NCC Ltd, (Formerly Nagarjuna Construction Company Limited), having its registered office at NCC house, Madhapur, Hyderabad-500081.

are directed to show cause on or before 13.09.2023 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 2 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings relating to Calendar Case NI No. 10921/2022 pending on the files of Hon'ble XI Metropolitan Magistrate at Manoranjan Complex, Nampally,

Hyderabad against the Petitioner herein arrayed as Accused No. 3, therein, pending disposal of CRLP No.7244 of 2023, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

“Issue notice to respondent No.2.

Learned counsel for the petitioner is permitted to take out personal notice to the respondent No.2 by registered post with acknowledgement due and file proof of service in the Registry by next date of hearing.

Learned counsel for the petitioner contended that the petitioner acted as a Nominee Director in the respondent No.2 company with no operational responsibilities and that the said company has not assigned any role to the petitioner for committing the offence under Section 138 of N.I.Act and prayed to quash the proceedings.

Taking into consideration that no role has been assigned to the petitioner by the company to commit the offence, this Court is of the considered view to dispense with the presence of the petitioner.

Accordingly, presence of the petitioner is dispensed with before the trial Court till notice is served on respondents.

List on 13.09.2023.”

**SD/- A.V.S. PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The XI Additional Metropolitan Magistrate at Manoranajan Complex, Nampally.
2. Mr. P. Shiva Ram Chief Manager, M/s. NCC Ltd, (Formerly Nagarjuna Construction Company Limited), having its registered office at NCC house, Madhapur, Hyderabad-500081 (by RPAD along with a copy of petition and memorandum of grounds).
3. One CC to Sri. DURGA BOSE GANDHAM Advocate [OPUC].
4. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OPUC].
5. One spare copy.

HIGH COURT

GAC,J

DATED: 03/08/2023

LIST ON 13.09.2023

NOTICE BEFORE ADMISSION

CRLP.No.7244 of 2023

DIRECTION

