

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
 THURSDAY, THE TWENTY FIRST DAY OF JANUARY
 TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE SRI JUSTICE K.LAKSHMAN
CRIMINAL PETITION NO: 6976 OF 2020

Between:

Telanakula Subramanyam S/o Subbaiah

AND

1. The State of Telangana, Rep by Public Prosecutor at High Court, Hyderabad
PS Khammam III Town.
2. Shaik Shaheen Sulthana, W/o Jani Miya, Occ. Housewife, R/o 3-5-174/1/B,
Pumpingwell Road, Khammam.

Respondents

WHEREAS the Petitioner above named through his Advocate Sri P Rama Sharana Sharma presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the CrI.P., the High Court may be pleased to quash the proceedings in CC No. 4278/2019 on the file of III Additional Judicial Magistrate of First Class at Khammam, in the interest of justice;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri P Rama Sharana Sharma Advocate for the Petitioner, Public Prosecutor for 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;

Shaik Shaheen Sulthana, W/o Jani Miya, Occ. Housewife, R/o 3-5-174/1/B,
Pumpingwell Road, Khammam.

are directed to show cause on or before 24.02.2021 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: 1 OF 2020

Petition under Section 482 CPC praying that in the circumstances stated in the petition, the High Court may be pleased to stay all further proceedings including appearance of the petitioners pending disposal of the main criminal petition in CC No. 4278/2019 on the file of III Additional Judicial Magistrate of First Class at Khammam, in the interest of justice, pending disposal of CRLP No. 6976 of 2020, on the file of the High Court.

The Court made the following:

ORDER

Notice to 2nd respondent.

Personal notice is permitted.

List on 24.02.2021.

A perusal of the charge sheet would reveal that the transaction between the petitioner and the 2nd respondent is commercial transaction. Even in the charge sheet, it is specifically mentioned that the accused already transferred an amount of Rs.6,00,000/- and he did not pay the remaining amount of Rs.16,75,524/-, thereby cheated the 2nd respondent.

According to the learned counsel for the petitioner, it is a commercial transaction. Various contentions and grounds raised by the petitioner requires examination.

In view of the same, the presence of petitioner/accused in C.C.No.4278 of 2019, pending on the file of III Additional Judicial Magistrate of First Class, Khammam, is dispensed with.

//TRUE COPY//

Sd/- R.KARTHIKEYAN
ASSISTANT REGISTRAR

Kole
SECTION OFFICER

To,

1. The III Additional Judicial First Class Magistrate, Khammam
2. The Station House Officer, Police Station Khammam III Town, Khammam
3. Shaik Shaheen Sulthana, W/o Jani Miya, occ. Housewife, R/o 3-5-174/1/13, Pumpingwell Road, Khammam. (by RPAD- along with a copy of petition and memorandum of grounds)
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. One CC to Sri P Rama Sharana Sharma Advocate [OPUC]
6. One spare copy

HIGH COURT

KLJ

DATED:21/01/2021

LIST ON 24.02.2021

NOTICE BEFORE ADMISSION

CRLP.No.6976 of 2020

DIRECTION

