

[3444]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THURSDAY, THE TWENTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 10598 OF 2025

Between:

Kinnera Saaraiah, S/o Rajaiah, aged about 45 years Occ. Agriculture (Ex-Sarpanch) R/o Ramakrishna Colony (V) Thiommapur Revenue Mandal, Karimnagar district.

...PETITIONER/ACCUSED

AND

1. Rachamadugu Satyam Rao, S/o Venkat Rao Aged about 49 yhears, Occ. Agricutglure And Busienss R/o Ramakrishna olony 1Village Thimmapur Revenue Mandal, Karimnagar district ...
2. The State of Telangana, rep. by Public Prosecutor High Court of Telangana at Hyderabad

...RESPONDENTS/COMPLAINANT

Petition under Section 528 OF BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to direct the Special Judicial Magistrate of First Class (Excise) at Karimnagar to speedy dispose of the CrI. J.P.No.132 of 2025 in C.C.No.284 of 2019 filed by the petitioner/Accused or to conclude the C.C.No. 284 of 2019 filed by the 1st respondent /Complainant against the petitioner /Accused.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri MIRZA AZMATH ALI BAIG, Advocate for the Petitioner and SRI JITHENDER RAO VEERAMALLA, the Additional Public Prosecutor for the Respondent No.2 and none appeared for the Respondent No.1.

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA ✓

CRIMINAL PETITION No.10598 of 2025 ✓

ORDER:

1. This Criminal Petition is filed by the petitioner under Section 528 of BNSS, 2023 seeking to direct the Special Judicial Magistrate of First Class (Excise), Karimnagar, to dispose of Crl.M.P.No.132 of 2025 in C.C.No.284 of 2019 at the earliest.
2. Heard Mr.Mirza Azmath Ali Baig, learned counsel for the petitioner as well as Sri Jithender Rao Veeramalla, the learned Additional Public Prosecutor appearing for the respondent No.2-State.
3. Learned counsel for the petitioner submitted that the purpose of issuing the cheque is not for discharging any debt, but the cheque was issued for collateral purpose only. He further submitted that respondent No.1 developed a personal grudge against the petitioner and filed the present case against the petitioner with false and fabricated documents. Hence, he prayed the Court to set aside the impugned order dated 05.06.2023.
4. Learned Additional Public Prosecutor opposed the submissions of the learned counsel for the petitioner stating that the matter requires adjudication before the Trial Court and therefore prayed to dismiss the petition.

5. Perused the record. It reveals that the allegations point out the offence under Section 138 of N.I. Act against the petitioner. It is noteworthy that the Trial Court has to decide whether the cheque was issued for collateral purpose for clearing debts or not. A perusal of the complaint reveals that certain specific allegations are levelled against the petitioner and as such, truth or otherwise in the said allegations shall come out during the course of trial. Therefore, this Court is not inclined to interfere with the judicial process. However, the appearance of the petitioner is dispensed with before the Trial Court unless his presence is specifically required during the course of trial, subject to the condition of petitioner being represented by his counsel on every date of hearing. Further, since the complaint pertains to the year 2019, the Trial Court is directed to dispose of CrI.M.P.No.132 of 2025 in C.C.No.284 of 2019 as expeditiously as possible.

6. With the above observations, the Criminal Petition is disposed of.

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

Sd/- L. LAKSHMI BABU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Judicial Magistrate of First Class (Excise) at Karimnagar.
2. One CC to SRI MIRZA AZMATH ALI BAIG Advocate [OPUC]

3. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana, at Hyderabad. [OUT]
4. Two CD Copies

GR/PSL

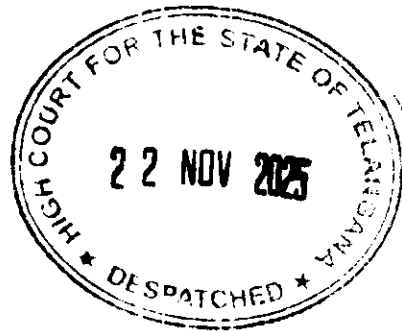
Yps

HIGH COURT

DATED:21/08/2025

ORDER

CRLP.No.10598 of 2025



DISPOSING OF THE CRIMINAL PETITION

⑦ kpr
8/11/25