

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE SEVENTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K.SURENDER
CRIMINAL PETITION NO: 10937 OF 2023

Between:

Eade Sai @ Devender Goud S/o.Venkateshwara Rao

Petitioner/Accused No.3

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court at Hyderabad.
2. Sri.Nimmakanti Mallesh, S/o.Late Nimmakanti Rajaiah, Occ. Barbar, R/o.H.No.2-20-5/52/C, Near HP Petrol Bunk, Adarash Nagar Chilka Nagar Uppal, Hyderabad.

Respondents/Complainant

WHEREAS the Petitioner above named through his Advocate Ms.V Sanjana presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the Criminal Petition, the High Court may be pleased to quash the Criminal Proceedings against the petitioner/Accused No.3 herein in C.C.No.3018/2019 in Crime No.836/2018 of PS Medipally, on the file of the Principal Junior Civil Judge Cum IV Additional Metropolitan Magistrate Medchal-Malakajgiri District at L.B.Nagar, for the alleged offences U/Sec.420, 406, 506 r/w 34 IPC;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Ms.V Sanjana 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:

Sri Nimmakanti Mallesh, S/o.Late Nimmakanti Rajaiah Occ. Barbar,
R/o.H.No.2-20-5/52/C, Near HP Petrol Bunk, Adarash Nagar Chilka Nagar
Uppal, Hyderabad.

are directed to show cause on or before 05.12.2023 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: 1 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the petition, the High Court may be pleased to stay all further proceedings including appearance of the Petitioner/Accused Nos.3 herein in C.C.No.3018/2019 in Crime No.836/2018 of PS Medipally, on the file of the Principal Junior Civil Judge Cum IV Additional Metropolitan Magistrate Medchal-Malakajgiri District at L.B.Nagar, for the alleged offences U/Sec.420, 406, 506 r/w 34 IPC, pending disposal of CRLP No.10937 of 2023, on the file of the High Court.

The Court made the following:

ORDER

Heard learned counsel for the petitioner/accused No.3.

The case of the de facto complainant is that he had purchased the property from the parents of this petitioner, who are arrayed as accused Nos.1 and 2. The said property was mortgaged with the bank which was not revealed. However, amount was paid by the de facto complainant to the bank and the documents were taken by accused Nos.1 and 2. Subsequently, when questioned, it is alleged that this petitioner who is son of accused Nos.1 and 2 had threatened him.

Admittedly, this petitioner is not a party to any of the sale transactions or the transactions in the bank.

Issue notice to respondent No.2.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.2 through R.P.A.D and file proof of service in the Registry.

Post on 05.12.2023.

The proceedings in C.C.No.3018 of 2019 pending on the file of the Principal Junior Civil Judge-cum-IV Additional Metropolitan Magistrate, Medchal-Malkajgiri District at L.B.Nagar are stayed as far as this petitioner/accused No.3 is concerned.

Post on 05.12.2023.

//TRUE COPY//

SD/- B. SARASWATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Junior Civil Judge Cum IV Additional Metropolitan Magistrate Medchal-Malakajgiri District
2. The Station House Officer, Medipally Police Station, Rachakonda
3. Sri.Nimmakanti Mallesh, S/o.Late Nimmakanti Rajaiah, Occ. Barbar, R/o.H.No.2-20-5/52/C, Near HP Petrol Bunk, Adarash Nagar Chilka Nagar Uppal, Hyderabad. (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 Ms. VSanjana Advocate [OPUC]
6. One spare copy

HIGH COURT

KS,J

DATED:07/11/2023

Post on 05.12.2023

NOTICE BEFORE ADMISSION

CRLP.No.10937 of 2023

STAY

