

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

PRESENT



THE HONOURABLE SMT JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 4854 OF 2024

Between:

Tamarapu Appala Naidu, S/o Laxmana Swamy, aged 40 years. R/at proprietor. Ome Kali Krishna Rythu Depot, Main Road, Veeraghattam. Srikakulam.

...Petitioner/Accused

AND

1. The State of Andhra Pradesh, Rep by its Public Prosecutor, High court of Andhra Pradesh, Amaravati.
2. Guttavilli Lingam Naidu, S/o Kurimi naidu, aged 44 years, Occupation Cultivation, R/at Bitiwada village, Veeraghattammandal, Srikakulam District.

...Respondents

Petition (under Section 482 of Cr.P.C & New Section 528 of BNSS, 2023) praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the order dated 09-07-2024 in CrI.M.P. 249 of 2024 in C.C. No. 110 of 2019 by the Hon'ble Judicial First Class Magistrate, Palakonda, Srikakulam.

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

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...PETITIONER/ACCUSED

AND

1. THE STATE OF AP, Rep by its Public Prosecutor, High court of Andhra Pradesh, Amaravati.
2. Guttavilli Lingam Naidu,, S/o Kurimi naidu, aged 44 years. Occupation Cultivation, R/at Bitiwada village, Veeraghattammandal, Srikakulam District.

...RESPONDENTS

Petition (under Section 482 of Cr.P.C & New Section 528 of BNSS,2023) praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court pleased to quash the order dated 09-07-2024 in CrI.M.P. 249 of 2024 in C.C. No. 110 of 2019 by the Hon[^]ble Judicial First Class Magistrate, Palakonda, Srikakulam.

I.A. NO: 1 OF 2024

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay of all the proceedings in C.C. No. 110 of 2019 by the Hon'ble Judicial First Class Magistrate, Palakonda, Srikakulam, pending disposal of the criminal petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri SIMHACHALAM KARUKOLA, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No.2

The Court made the following ORDER :



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3396]

THURSDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

PRESENT
THE HONOURABLE SMT JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 4854/2024

Between:

Tamarapu Appala Naidu

...PETITIONER/ACCUSED

AND

The State of AP and Others

...RESPONDENT/COMPLAINANT(S)

Counsel for the Petitioner/accused:

1. SIMHACHALAM KARUKOLA

Counsel for the Respondent/complainant(S):

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The instant Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 (in short "Cr.P.C.") has been filed, by the Petitioner/Accused, seeking to quash the proceedings against him in CrI.M.P.No.249 of 2024 in C.C.No.110 of 2019 on the file of the Court of Judicial First Class Magistrate, Palakonda, Srikakulam District, for the offence punishable under Section 138 of the Negotiable Instruments Act.

2. Heard Sri Karukola Simhachalam, learned counsel for the Petitioner and Ms. D.Prasanna Lakshmi, learned Assistant Public Prosecutor for the State/Respondent.

3. When the matter is taken up for hearing, at the stage of admission, learned counsel for the Petitioner would submit that without causing any prejudice to the rights and contentions of the Petitioner regarding the original promissory note which has been filed at the fag end of the matter, petition may be disposed of.

4. Learned Assistant Public would submit that the Court may pass appropriate orders.

5. Considering the submissions made, the Criminal Petition is disposed of without causing any prejudice to the rights and contentions of the Petitioner before the trial Court.

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

SD/- U.SRIDEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First Class Magistrate, Palakonda, Srikakulam District
2. One CC to SRI. SIMHACHALAM KARUKOLA Advocate [OPUC]
3. Two CCs To The Public Prosecutor, High Court Of Andhra Pradesh At Amaravathi [OUT]
4. THREE CD COPIES

TAC

HIGH COURT

DATED:18/07/2024

ORDER

CRLP.No.4854 of 2024



DISPOSING OF THIS CRLP