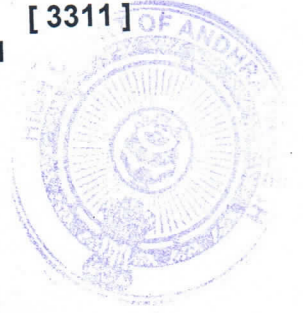


[3311]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI
CRIMINAL PETITION NO: 2647 OF 2023



Between:

1. Rajiv Ratanlal Tulshyan, C-4101, Lodha Bellissimo, NM Joshi Marg, Mahalaxmi Mumbai-400011, Maharashtra
2. Puja Rajiv Tulshyan, C-4101, Lodha Bellissimo, NM Joshi Marg, Mahalaxmi, Mumbai-400011, Maharashtra
3. Lalithadevi Rathanlal Tulshyan, C-4101, Lodha Bellissimo, Nm Joshi Marg, Mahalaxmi, Mumbai-400011, Maharashtra
4. Girish Joshi Treveni Bhawan, Ward No 08, Behind Chirawa College Chirawa, Jhunjhunu Rajasthan 333026

...Petitioners

1. The State of Andhra Pradesh, rep. Public Prosecutor, High Court of Andhra Pradesh at Amaravathi, Nelapadu, Guntur District
2. The Station House Officer, Chillakallu Police Station, NTR Commissionarate, Vijayawada, Krishna District.
3. Medisetty Venkata Ramana, Erstwhile Promoter of M/s Spads Textiles Ltd. S/o Venkata Rattaiah, Age: 38 years, Occ. Business, R/o. 741449, Yanamalakuduru, Lockula, Vijayawada, Andhra Pradesh

...Respondents

Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to quash FIR bearing No. 160/2023 dated 27.03.2023, registered at Chillakallu P.S., NTR District, Andhra Pradesh against the Petitioners.

IA NO: 2 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings including the arrest, appearance of the Petitioner in FIR bearing No. 160/2023 dated 27.03.2023, registered at Chillakallu P.S., NTR District, Andhra Pradesh, Pending disposal of CRLP 2647 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the orders of the High Court dated 12.04.2023 & 13.04.2023 made in IA.No.2 of 2023 and upon hearing the arguments of Sri Akhil Krishnan, Advocate for the Petitioner and Public Prosecutor for the Respondent No.1, Ms. Ishwarya Nagula, learned counsel for the Respondent No.3, the Court made the following

ORDER

"Learned counsel for the petitioners sought extension of the interim order earlier granted.

The learned counsel representing respondent No.3 submitted that in the very same crime the accused Nos. 4, 5, and 7 filed similar W.P.No.8464 of 2023 and another Bench of this High Court passed an order on 04.04.2023, while directing notice to respondent No.4 therein, further directed the police to conduct the investigation without taking any coercive steps against the petitioners therein. Therefore, the learned counsel further submitted that the petitioners in the present case who are accused Nos.1 to 3 & 5 suppressed the same order, though it is in their knowledge while making their submissions on 12.04.2023. He further submitted that the interim order granted by this Bench on 12.04.2023, staying all further proceedings, including the arrest and appearance of the petitioners, is causing hardship for proceeding with the investigation and it is also in conflict with the other order in W.P.No.8464 of 2023.

Therefore, he further submitted that since the hearing of the matter would take some more time, meanwhile the interim order may not be extended in the same manner in which it was earlier granted on 12.04.2023, but the same may be modified on lines with the order in W.P.No.8464 of 2023. He further submitted that there is a civil suit filed and an interim injunction is in favor of respondent No.3 with respect to part of the property, but due to pendency of these disputes, respondent No.3 is not allowed to get the land surveyed and identified the undisputed property of the respondent No.3. He further submitted that he has been still receiving the demand notice from the Electricity Department for payment of electric bills and his license is also still standing in the name of respondent No.3 and therefore, steps have been taken in regard.

In reply, learned counsel for the petitioners submitted that it is purely a civil dispute and conducting investigation is also against the interest of the petitioners.

In view of the submissions made on both sides, the interim order is granted afresh directing the police not to take coercive steps against the

petitioners, but permitting the police to proceed with the investigation till the next date of hearing. Meanwhile, the respondents are permitted to file counter.

Post the matter as a last chance on 16.06.2023, along with W.P.No.8464 of 2023."

Sd/- K.TATA RAO
DEPUTY REGISTRAR

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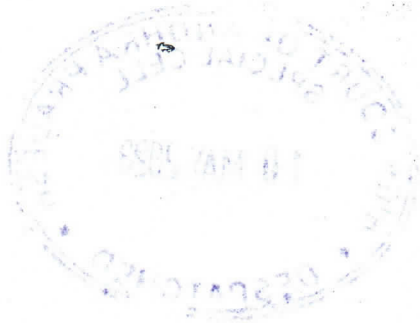
For

SECTION OFFICER

To,

1. The Station House Officer, Chillakallu Police Station, NTR Commissionarate, Vijayawada, Krishna District.
2. Medisetty Venkata Ramana, Erstwhile Promoter of M/s Spads Textiles Ltd. S/o Venkata Rattaiah, Age. 38 years, Occ. Business, R/o. 741449, Yanamalakuduru, Lockula, Vijayawada, Andhra Pradesh (By RPAD)
3. One CC to Sri. Akhil Krishnan, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One CC to Ms. Ishwarya Nagula, Advocate [OPUC]
6. One spare copy

RVK



HIGH COURT

BSBJ

DATED:05/05/2023

POST THE MATTER AS A LAST CHANCE ON 16.06.2023, ALONG WITH
W.P.NO.8464 OF 2023

ORDER

CRLP.No.2647 of 2023

DIRECTION

