

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

TUESDAY THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND SEVEN

//PRESENT//

THE HON`BLE SRI JUSTICE: **RAMESH RANGANATHAN**
COMPANY APPLICATION No. 109 OF 2000

IN

COMPANY PETITION NO. 84 of 1996
IN THE MATTER OF COMPANIES ACT, 1956
AND

IN THE MATTER OF M/S AQUADEV INDIA LTD. (IN LIQN.)

Between:

M/s. Acquadev India Ltd. (In Liqn.), rep. by the Official Liquidator, High Court
of Andhra Pradesh, Hyderabad.

.... Applicant

AND

1. Sri Gummadi Venkateswarlu, Ex-Managing Director, S/o. G. Kotaiah, Near Andhra Kesari College, Nirmal Nagar, Ongole, Prakasam District.
2. Dr. Vedurmudi Rayappa Pantulu, S/o. V. Rama Rao, 519-D, Road No. 28, Jubilee Hills, Hyderabad-500034.
3. Sri Nedunuri Venkata Satya Sesha Suryanarayana Rao, Near Jayaram Talkies, Raja Panagal Road, Ongole, Prakasam District.
4. Sri Krishnaswamy Gopalan, S/o. V. Krishnaswamy, C-8, Akshay, Sri Swamy Samrath Nagar, Mumbai-58.
5. Sri Venkata Rama Rao Josyula, S/o. J. Suryanarayana, Sothapet, Ongole, Prakasam District.
6. Sri Srinivasan Ethiraja, S/o. K.G. Ethiraju Reddy, 37-1-420 (C), II Lane, Ramnagar, Ongole-523001, Prakasam District.

... Accused

Application under Section 454 (5) and (5A) of the Companies Act, 1956 and Rules 125 and 132 of the Companies (Court) Rules, 1959 praying that in the circumstances stated in the compliant filed by the Official Liquidator the High Court may be pleased to

- i. Summon the accused herein and to punish them under sub-Section (5) and (5A) of Section 454 of the Companies Act, 1956 for non-Compliance with the requirements of Section 454 of the Companies Act, 1956;
- ii. Order the cost of this application to come out of the funds of the company;

Whereas the Court upon perusing the Application and the complaint filed by the Official Liquidator along with Judge's summons filed herein and the order of the High Court dated: 20-02-2006 made herein and upon hearing the arguments of Sri M. Anil Kumar, learned counsel for the Official Liquidator for the Applicants, who seeks time to adduce evidence observed that Accused 1 and 2 are present in Court. Since summons issued to accused 3 to 6 has been returned unserved;

And whereas and accused 1 and 2 have already been

examined under Section 251 Cr.P.C., the Court directed the Registry to issue Warrants of arrest against the Accused 3 to 6 for their arrest and production before this Court on 27-08-2007;

..2..

Therefore you viz;

The Commissioner of Police, Mumbai City, Mumbai, Maharashtra State.

are hereby directed to arrest the said Accused No. 4 namely; Sri Krishnaswamy Gopalan, S/o. V. Krishnaswamy, C-8, Akshay, Sri Swamy Samrath Nagar, Mumbai-58, wherever he is found and produce him bodily under safe custody and conduct before this Hon`ble Court on 27-08-2007 at 10. 30.a.m., to which date the case stands posted.

You are further directed to execute the Warrant without fail and to return the same as early as possible preferably on or before the said date **27-08-2007** to this Court with a detailed report stating the manner in which it has been executed.

Herein fail not.

JOINT REGISTRAR

To

1. The Commissioner of Police, Mumbai City, Mumbai, Maharashtra State (BY RPAD with a copy of petition and affidavit)
2. The Official Liquidator, 3-5-398, 1st Floor, Kendriya Sadan, Sultan Bazar, Hyderabad. **(BY SPECIAL MESSENGER)**
3. The Section Officer, O.S. Section, High Court of A.P., Hyderabad
4. One spare copy.

Ksv

Ksv
Date of drafting: 10-08-2007

HIGH COURT

RRJ

DATE: 07-08-2007

NOTE: POST ON 27-08-2007

**WARRANTS AGAINST
ACCUSED No. 4**

C.A. NO. 109 OF 2000
IN
C.P. NO. 84 of 1996