

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.60 of 2015

ORDER:

This revision is preferred challenging the order dated 03-07-2014 passed in Crl.A. No.323 of 2011 on the file of the

III Additional Metropolitan Sessions Judge, City Criminal Courts, Nampally, Hyderabad, wherein the learned Sessions Judge dismissed the appeal filed by the petitioner confirming the order dated 11-04-2011 passed in Crl.M.P.No.747 of 2011 in C.C. No.184 of 2006 on the file of III Additional Chief Metropolitan Magistrate, Hyderabad.

The grievance of the petitioner herein is that even though he is the complainant in the present case, while the pendency of C.C. No.184 of 2006, as the accused expired, charges were abated against the accused person concerned. Even prior to the date of death of the accused person, the petitioner filed application for return of properties on the ground that properties seized from the accused are belonging to the petitioner herein. The lower court while partly allowing the application, refused to return the documents, which were recovered from the accused. The petitioner also filed suit before the civil Court and the same is also decreed in favour of the petitioner declaring

that the petitioner is the owner of the properties concerned, which were purchased by the accused.

Taking into consideration the present facts and circumstances of the case and since the charges also abated against the accused concerned and none of the legal heirs also intend to prosecute the matter before the trial Court and also in view of the fact that the civil Court also passed order in favour of the petitioner, the trial Court is directed to return all the properties and documents which were recovered from the accused on the basis of the complaint given by the petitioner herein.

The Criminal Revision Case is accordingly disposed of. Consequently, the Miscellaneous Petitions pending, if any, in this revision shall stand closed.

RAJA ELANGO, J.

23rd June, 2015

skmr