

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CrI.R.C.No.842 of 2015

-

ORDER

-

This revision is preferred challenging the order dated 13.01.2015 passed by the Metropolitan Sessions Judge, Cyberabad at L.B.Nagar in CrI.M.P.No.193 of 2014 in C.C.No.7 of 2013, wherein the discharge petition filed by the petitioners-A2 and A3 was dismissed.

2. The petitioners-A2 and A3 are closely related to A1, who was running the chit fund. The main contention raised by the learned counsel for the petitioners is that the trial Court miserably failed to consider the fact that petitioner No.1, who has received a sum of Rs.20,00,000/- from A1, is the father-in-law of A1 and petitioner No.2 is the wife of A1 and that they used to collect money in the absence of A1. It is further contended that the allegations in the complaint will not attract any offence to prosecute the petitioners herein.

3. The points raised by the learned counsel for the petitioners have to be raised only at the time of trial and the trial Court should take into consideration the material available on record and if it found that there is any prima facie case, then it has to frame charges and the question of discharging the accused does not arise. Hence, the order dated 13.01.2015 passed by the Metropolitan Sessions Judge, Cyberabad at L.B.Nagar in CrI.M.P.No.193 of 2014 in C.C.No.7 of 2013 is in accordance with law and therefore, I am not inclined to interfere with the said order.

4. As far as the presence of the petitioners is concerned, the 1st petitioner being an old person and the 2nd petitioner being a lady, their presence before the trial Court with regard to the above case is dispensed with.

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

JUSTICE RAJA ELANGO

18th June, 2015

sj