

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.833 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.194 of 2014 in C.C. No.8 of 2013, wherein the discharge petition filed by the petitioners-accused Nos.2 & 3 was dismissed.

The petitioners – accused Nos. 2 and 3 are closely related to the 1st accused 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 the petitioner No.1, who has received a sum of Rs.20,00,000/- from the accused No.1, is father-in-law of the accused No.1 and the petitioner No.2 is the wife of the accused No.1 and that they used to collect money in the absence of accused No.1. It is further contended that the allegations in the complaint will not attract an offence to prosecute the petitioners herein.

The points raised by the learned counsel for the petitioners are 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.194 of 2014 in C.C. No.8 of 2013 is in accordance with law and therefore, I am not inclined to interfere with the said order.

As far as the presence of the petitioners are concerned, the 1st petitioner being a old person and the 2nd petitioner being a lady,

the presence of the petitioners before the trial Court with regard to the above case is dispensed with.

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

RAJA ELANGO, J.

03rd June, 2015

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