

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1966 OF 2015

ORDER:

The petitioners have preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.) being aggrieved by the order dated 09.07.2015 passed in CrI.M.P.No.100 of 2015 in C.C.No.5 of 2008 on the file of the Special Judge for SPE and ACB Cases-cum-II Additional District & Sessions Judge, Nellore, whereby the learned Judge dismissed the petition filed by the petitioners seeking to discharge them from the proceedings initiated against them.

Heard the learned counsel for the petitioners/A.3 and A.4 and the learned Public Prosecutor and perused the material available on record.

Learned counsel for the petitioners submits that though the other accused were already tried and convicted by the trial Court, and that later, they were acquitted by the High Court, the Court below erroneously dismissed the application of the petitioners seeking to discharge them.

This Court is of the view that the Court below rightly dismissed the petition filed by the petitioners to discharge them from the proceedings initiated against them, by observing that since the petitioners were not parties to the criminal appeals, in which the other accused were acquitted, the benefit of acquittal of other accused cannot be extended to the present petitioners. The order of the Court below is in accordance with law and needs no interference by this Court.

The Criminal Revision Case is accordingly dismissed. Consequently, the miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

11.09.2015
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