

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL APPEAL No.720 OF 2015

JUDGMENT:

This Criminal Appeal, under Section 341 of the Code of Criminal Procedure, 1973, is directed against the order, dated 1.5.2015, in E.A.No.20 of 2014 in E.P.No.45 of 2008 in O.S.No.489 of 2005 on the file of the IX Additional Senior Civil Judge, City Civil Court, Hyderabad whereunder and whereby, the application filed by the decree holder under Sections 195, 206 and 34 I.P.C. read with Section 340 Cr.P.C. to refer the subject matter of E.P. to initiate penal action against the judgment debtors 1 to 3 for fraudulently removing and concealing the E.P. schedule property for avoiding the execution of decree in O.S.No.489 of 2005 in E.P.No.45 of 2008 pending before the IX Additional Senior Civil Judge, City Civil Court, Hyderabad, was dismissed.

2. Heard and perused the entire material on record.
3. Considering the facts and circumstances of the case, this Court is of the view that the appeal lies before the District Court and this Court has no jurisdiction to entertain the appeal. Hence, the Criminal Appeal is liable to be dismissed.
4. Accordingly, the Criminal Appeal is dismissed as not maintainable.
5. Miscellaneous petitions pending, if any, in this Criminal Appeal shall stand closed.

JUSTICE RAJA ELANGO

6.9.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO



CRL.A.No.720 OF 2015

Date: 6.9.2016

AMD