

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

AND

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL APPEAL No. 1010 OF 2012

JUDGMENT:

Vide the present appeal, the appellants seek direction thereby to set aside the judgment dated 20-04-2012 passed in S.C.No. 202 of 2008 on the file of the Court of I Additional District and Sessions Judge – cum – Metropolitan Sessions Judge, Cyberabad at L.B. Nagar, Hyderabad (for short, 'the Court below'), to the extent of ordering for destruction of M.O.11 (Registrar of Companies file folder pertaining to appellant No. 1) and M.O.14 (Expired Passport of appellant No. 2) and confiscation of M.O.24 (Alto Car bearing No. AP 9 AX 4527 pertaining to appellant No. 3) and consequently order for return of the said property to the appellants.

We note in judgment dated 20-04-2012 in para No. 28, the Court below passed directions as under:

"M.Os.23 to 25 and 42 to 48 shall be confiscated to the State after the appeal time is over. M.Os.1 to 22 and 26 to 41 shall be destroyed of after the appeal time is over."

To claim the aforesaid documents, the appellants have not filed any material thereby cannot claim that the documents/articles belong to them. Therefore, without commenting on the judgment passed by the Trial Court, we hereby close the present appeal by directing the Court below to conduct an inquiry and decide the issue raised in the instant appeal. The appellants are at

liberty to approach the Court within two weeks from today. Till the decision taken by said Court, *interim* order granted by this Court in CrI.A.M.P.No. 2208 of 2012 on 15-10-2012 shall remain in force.

In view of the above, the criminal appeal is disposed of.

SURESH KUMAR KAIT, J.

U.DURGA PRASAD RAO, J.

Date: 07-02-2017.

JSK

