

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION Nos.8121 & 8143 of 2017

COMMON ORDER:

Heard learned counsel for the respective petitioners/A.132 & 176 of C.C.No.243 of 2013 pending on the file of Additional Judicial Magistrate of First Class, Avanigadda, for the offences punishable under Sections 447 & 379 r/w 34 IPC and Sections 27, 35(ii), 38 r/w Rule 23 of AP WALTA Act, 2002, for which offences the learned Magistrate has taken cognizance, which is outcome of report of Tahsildar in registering the crime No.79 of 2012 of Ghantasala Police Station as many as against 188 accused among whom the petitioners are A.132 and 176 supra.

Heard learned counsel for the petitioners supra at length and also learned Public Prosecutor.

The several contentions raised by the petitioners are left open to consider before the trial Court including by their filing application for discharge under Section 239 Cr.P.C., for the learned Magistrate to consider including by permitting by virtue of this order to file as additional material which they filed before this Court, before the trial Court to consider beyond the prosecution material also in deciding the application by virtue of this order and from the expression of the Apex Court in **Rukmini Narvekar Vs. Vijay Sataredkar**¹.

Accordingly and in the result, the Criminal Petitions are disposed of. The trial Court shall in the event of filing any discharge application to decide within one month therefrom.

¹ 2008 (4) JCC 2879

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 24.10.2017
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