

**HON'BLE SRI JUSTICE U.DURGA PRASAD RAO**

**CRIMINAL REVISION CASE No. 605 of 2014**

**O R D E R:**

This criminal revision case is directed against the order dated 04.06.2013 passed in CrI.M.P.No.1498 of 2012 in CC.No.3/FD/2006, by the learned Sessions Judge, Guntur, dismissing the petition filed under Section 239 Cr.P.C. seeking to discharge the petitioners/Accused for the offences punishable under Sections 420, 409, 468, 477-A and 120-B IPC and Section 5 of A.P.Protection of Depositors of Financial Establishment Act, 1999.

2. The main ground on which the CrI.M.P. was dismissed by the trial Court seems to be that the court had already found *prima-facie* material against the petitioners/accused to frame charges for the offences stated supra and that at the time of filing of CrI.M.P, chief examination of P.Ws.1 and 2 was completed and as such, the learned District Judge cannot review the order passed by his Predecessor. This court on careful scrutiny of the impugned order, finds no illegality or perversity therein to come to a different conclusion and this Court confirms the view of the trial court that the contention of the petitioners/accused that the

provisions of Section 5 of A.P. Protection of Depositors of Financial Establishment Act, 1999, has no application, can be decided only after a full fledged trial.

3. In the result, the criminal revision case is dismissed giving liberty to the petitioners/accused to raise their contentions if any, during the course of arguments in the main case, in which event, the trial court shall consider the same and give a finding on merits in its judgment.

4. Miscellaneous Petitions, if any, pending in this criminal revision case shall stand dismissed.

Dt. 19.11.2018  
Mjl/\*

U. DURGA PRASAD RAO, J

