



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3396]

THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 479/2019

Between:

1. P B SRINIVAS, S/O. LATE J. SANYASI RAJU, AGED ABOUT 55 YRS,
R/O. D.NO. 1- 4-30, MAKKUVA ROAD, SALUR TOWN,
VIZIANAGARAM DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, By its Public Prosecutor, High Court of A.P.,
Amaravathi, Through Town Police Station, Salur, Vizianagaram
District.

...RESPONDENT

Revision filed under Section 397/401 of CrPC praying that in the circumstances stated in the affidavit filed in support of the Criminal Revision Case, the High Court may be pleased to set aside the impugned Order dated 02.04.2019 in CRL.M.P.No. 277 of 2019 in C.C.No. 439 of 2014 on the file of the JUNIOR CIVIL JUDGE-CUM JUDICIAL MAGISTRATE OF THE 1ST CLASS, AT SALUR and consequently discharge the petitioner from C.C.No.439 of 2014 pending before THE JUNIOR CIVIL JUDGE-CUM-JUDICIAL MAGISTRATE OF THE 1ST CLASS, AT SALUR and pass such other order or further

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all further proceedings including appearance of the

petitioner in C.C.No. 439/2014 on the file of THE JUNIOR CIVIL JUDGE-CUM-JUDICIAL MAGISTRATE OF THE 1st CLASS, AT SALUR, pending disposal the Revision petition

Counsel for the Petitioner:

1.GORLE GOPALAKRISHNA

Counsel for the Respondent:

1.PUBLIC PROSECUTOR (AP)

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 479/2019

ORDER:

This Criminal Revision Case is filed seeking to set aside the impugned order dated 02.04.2019 passed in CrI.M.P. No. 277 of 2019 in C.C. No. 439 of 2014 on the file of the Junior Civil Judge—cum—Judicial Magistrate of First Class, Salur, whereby the petitioner seeking discharge from the case which was dismissed by the trial Court.

2. None appeared on behalf of the petitioner. Heard learned Assistant Public Prosecutor on behalf of the State.

3. The proceedings sheet dated 20.04.2026 also discloses that there was no representation for the petitioner. This Court, therefore, proceeds to examine the impugned order on merits.

4. The petitioner herein is Accused No.3. A private complaint was lodged by the de-facto complainant, which was forwarded to the police for registration and investigation. It is alleged that the accused persons entered into a criminal conspiracy and filed a civil suit in O.S. No. 25 of 2012 on the file of the Senior Civil Judge, Bobbili, based on fabricated documents. The petitioner filed the above discharge petition contending that there is no material to proceed against him.

5. Learned Assistant Public Prosecutor opposed the petition, contending that there are specific allegations constituting a conspiracy and that sufficient

material is placed on record to proceed against the accused. It was further submitted that the trial Court rightly dismissed the discharge petition and that no interference is warranted in revision.

6. Perused the material available on record.

7. A perusal of the charge sheet reveals prima facie material against the accused. The record indicates that, the Treasuries Department (vide L.W.7), the stamp papers in question were sold to Accused No.4 on 31.10.2011, whereas the document in which they were used bearing the date 06.02.2006. Further, the statement of L.W.6 indicates that non-judicial stamp papers were never supplied to Accused No.5 or anybody else but in collusion with A.1 to A.3 and A.6, she sold it in the name of A.2 on 05.02.2008. The investigation report discloses that, pursuant to a conspiracy among Accused Nos.1 to 6, old stamp papers were procured, fabricated documents were created, and the same were used in a civil suit to obtain an interim injunction order.

8. The allegations, therefore, disclose both civil and criminal liability. It is well settled that at the stage of considering a discharge application, the Court is not required to conduct a mini trial but only to assess whether a prima facie case exists based on the material on record. In the present case, the material placed before the Court clearly discloses sufficient grounds to proceed against the petitioner. The learned trial Judge has properly appreciated the material and rightly dismissed the discharge petition.

9. This Court finds no illegality or irregularity in the impugned order warranting interference in exercise of revisional jurisdiction. Accordingly, the Criminal Revision Case is devoid of merits and is liable to be dismissed.

The Criminal Revision Case is dismissed. The order dated 02.04.2019 passed in CrI.M.P. No. 277 of 2019 in C.C. No. 439 of 2014 by the Junior Civil Judge—cum—Judicial Magistrate of First Class, Salur, is hereby confirmed.

Consequently, miscellaneous applications, if any pending, shall stand closed.

DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 23.04.2026.

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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Dt.23.04.2026

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