

APHC010568892017



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

[3369]

TUESDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

CRIMINAL REVISION CASE NO: 2572/2017

Between:

1.SMT. ELMAS BANU SHAIK, ANANTHAPURAMU DT., W/O
U.HIDAIATHULLA, OCC: ASST.PUBLIC PROSECUTOR, R/O D.NO. 1-
590, R.K. NAGAR, ANANTHAPURAMU, ANANTHAPURAMU
DISTRICT

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH REP PP ANR, REP.BY IT'S
PUBLIC PROSECUTOR, HIGH COURT OF JUDICATURE AT
HYDERABAD AND FOR THE STATE OF TELANGANA FOR THE
STATE OF ANDHRA PRADESH THROUGH THE STATION HOUSE
OFFICER, MAHILA POLICE STATION, ANANTHAPURAMU.

2.U FARZANA, W/O U.AARIF, OCC: D.NO. 28-5-696, APHB. COLONY,
ANANTHAPURAMU.

...RESPONDENT(S):

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 allow this revision, duly discharging the Petitioner from C.C.No.1599/2015 by duly setting aside the order in CrI.M.P.No.753/2017 in C.C.No.1599/2015, on the file of the Court of the Additional Judicial Magistrate of First Class Ananthapuramu, dated 24.06.2017, and pass such other order or orders as this Hon'ble Court may deems fit and proper in the facts and circumstances of the case.

IA NO: 1 OF 2017(CRLRCMP 4209 OF 2017)

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 all further proceedings in C.C.No.1599/2015, On the file of the Court of the Additional Judicial Magistrate of First Class, Ananthapuramu, and pass such other order or orders as this Hon'ble Court may deems fit and proper in the facts and circumstances of the case.

Counsel for the Petitioner:

1.S R SANKU AND KAVITI MURALI KRISHNA

Counsel for the Respondent(S):

1.THOTA SUNEETHA

2.PUBLIC PROSECUTOR (AP)

The Court made the following ORDER:

1. The present Criminal Revision Case, filed under Sections 397 and 401 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') is preferred on behalf of the petitioner/A.5 challenging the order dated 24.06.2017 passed in Crl.M.P.No.753 of 2017 in C.C.No.1599 of 2015 on the file of the Additional Judicial Magistrate of First Class, Anantapuramu, (for short, 'the Trial Court').
2. For the sake of brevity, the parties shall hereinafter be referred to as they are arrayed in this Criminal Revision Case.
3. It is evident from the record that petitioner herein (A.5) filed Crl.M.P.No.753 of 2017 in C.C.No.1599 of 2015, under Section 239 of the Cr.P.C., seeking to discharge from the case. The Trial Court, after hearing the arguments advanced by both sides and upon perusal of the material on record, dismissed the petition on 24.06.2017.
4. Dissatisfied with the order passed by the Trial Court in Crl.M.P.No.753 of 2017 in C.C.No.1599 of 2015, the petitioner herein (A.5) has preferred the present Crl.R.C.No.2572 of 2017.

5. When the matter was taken up for hearing, none appeared on behalf of the petitioner.

6. Sri K. Sandeep, learned Assistant Public Prosecutor representing the respondent / State, contends that as per the status report obtained from the E-courts portal, C.C.No.1599 of 2015, wherein the order dated 24.06.2017 in CrI.M.P.No.753 of 2017 was passed, was finally disposed of by the Trial Court, resulting in the acquittal of the accused on 14.10.2019. He further contends that, in view of the dismissal of the main case, the present Criminal Revision directed against the said interlocutory order no longer survives for independent adjudication and has, therefore, become infructuous.

7. This Court, upon a careful consideration of the submission advanced by the learned Assistant Public Prosecutor and having regard to the fact that the very Calendar Case in which the impugned order was passed has already been disposed of, is of the considered view that nothing further remains for adjudication in the present Revision Case. Since the main case has been concluded and has attained finality, any challenge to an interlocutory order passed therein has become infructuous, and proceeding with the present Criminal Revision Case would serve no useful purpose.

8. Accordingly, the Criminal Revision Case is ***dismissed as infructuous***.

Interim orders, if any, granted earlier shall stand vacated, and all pending miscellaneous petitions, if any, shall stand closed.

T. MALLIKARJUNA RAO, J

Date: 04.11.2025

S A K

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

Criminal Revision Case No.2572 of 2017

Date: 04.11.2025

S A K