

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 301 OF 2005

YERASU SREENIVASA REDDY Appellant (s)

VERSUS

IRIGALA RAM PULLA REDDY & ORS. Respondent(s)

Date: 13/01/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Appellant(s)

Mr. Aniruddha P. Mayee,Adv.
Mr. K.Subba Rao,adv.
Mr. Caurdatta Mahindrata,Adv.

For Respondent(s)

Mr. Altaf Ahmad,Sr.Adv.
Mr. P.Viswanatha Shetty,Sr.Adv.
Mr. Vijay K. Pardesi,Adv.
Mr. Mahesh Kumar,Adv.
Mr. V.G. Pragasam,Adv.

Mr. I.Venkatanarayana,Sr.Adv.
Mr. D. Mahesh Babu ,Adv.
Mr. Ramesh Allanki,Adv.

UPON hearing counsel the Court made the following
O R D E R

The appeal is allowed.

[SUMAN WADHWA]
COURT MASTER

[VINOD KULVI]
COURT MASTER

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 301 OF 2005

YERASU SREENIVASA REDDY .. APPELLANT(S)

vs.

IRIGALA RAM PULLA REDDY & ORS. .. RESPONDENT(S)

O R D E R

Heard the learned counsel for the parties in
extenso.

Seventeen accused were sent for trial for offences

punishable under Section 302 etc. of the IPC as also under the Explosive Substances Act. The Sessions Court by his judgment dated 10th September, 2001, acquitted accused Nos.

10, 11, 14, 15, 16 and 17. Concededly, the State did not challenge the acquittal of these accused in appeal in the High Court. The accused who had been convicted by the Trial Court i.e. A.1, A.5, A.6, A.8, A.9, A.12 and A.13 challenged their conviction in the High Court. The High

Court has allowed the appeal qua others except accused Nos.

A.2, A.3, A.4 and A.7. It is also that conceded position that the special leave petition filed by the accused A.2, A.3, A.4 and A.7 has since been dismissed by this Court.

The present appeal has been filed by PW.1, the complainant in the case challenging the judgment of the High Court quo those who have been acquitted by it. We

-2-

have perused the judgment of the High Court very carefully with the help of the learned counsel for the parties and have also gone through a part of the evidence. We are of

the opinion that the High Court has not discussed the evidence in the manner in which it should have happened, more particularly as the High Court was the final court of fact.

We accordingly allow the appeal and remit the case to the High Court for fresh decision with respect to the case of the accused respondents herein. We clarify that notwithstanding the fact that we are allowing this appeal this order would not be taken as a reflection of any opinion by us.

The appellants are on bail. They shall continue on bail till the disposal of the appeal by the High Court. We request the High Court to dispose of the matter as expeditiously as possible.

.....J.
(HARJIT SINGH BEDI)

.....J.
(CHANDRAMAULI KR. PRASAD)

New Delhi,
January 13, 2011.