

ITEM NO.101
(P.H.)

Court No3

SECTION II

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 1030-1031 OF 2003

STATE OF ANDHRA PRADESH

Appellant (s)

VERSUS

SAYYAAD SIRAJ MOHAMMED & ORS.

Respondent(s)

Date: 15/04/2009 These Appeals were called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Appellant(s)

Mr. I.Venkatanarayana, Sr. Adv.
Mr. Manoj Saxena, adv.
Mr. Rajnish Kuamr Singh, adv.
Mr. Rahul Shukla, adv.
Mr.T.V.George,Adv.

For Respondent(s)

Mr. Annam D.N. Rao,Adv.

Mrs.D. Bharathi Reddy ,Adv

UPON hearing counsel the Court made the following
ORDER

The appeals are dismissed in terms of the signed
judgment.

(Shashi Sareen) (Shashi Bala Vij)
Court Master Court Master
(Signed reportable judgment is placed on the file)
REPORTABLE

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL Nos. 1030-1031 OF 2003

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... Appellant(s)

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... Respondent(s)

JUDGMENT

Having heard learned counsel for the appellant-State and learned counsel for the respondents, we are not inclined to interfere with the order passed by the Andhra Pradesh High Court directing acquittal of the respondents. The High Court has noted that before the test identification parade was conducted on 20.3.1991, the witness (PW1) was taken to the central jail where the accused persons were shown to him. That being so, there was really no purpose in holding test identification parade. The High Court rightly disbelieved the prosecution version and directed acquittal of the respondents. In any event, this is a possible view and therefore no

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interference is called for. The appeals fail. The bail bonds executed for giving effect to the order of bail dated 13.10.2003 shall stand discharged.

The appeals are dismissed.

.....J.
(Dr. ARIJIT PASAYAT)

.....J.
((ASOK KUMAR GANGULY)