

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 994 OF 2007

STATE OF A.P.

APPELLANT

VERSUS

T.R.C. MURTHY

RESPONDENT

O R D E R

Heard Mr. Harish Chander, learned senior advocate appearing for the appellant and Mr. Pallav Shishodia, learned senior advocate representing the respondent.

This criminal appeal by grant of special leave is directed against a judgment of acquittal. By the order coming under appeal, the High Court set aside the judgment and order passed by the trial court convicting and sentencing the respondent under Section 7 and Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988.

It was a trap case but the High Court accepted the explanation furnished by the respondent-accused, that the money that was found in the almirah of his

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house was received from PW-2. But it was not demanded or accepted by him as illegal gratification; it was the chit-fund money of his wife. The High Court on an appreciation of evidence found the explanation probable and accepted it, and hence, rendered the judgment of acquittal.

On going through the judgment of the High Court and the other materials on record and on hearing counsel for the parties, we find no infirmity in the view taken by the High Court.

We find no merit in the appeal. It is,
accordingly, dismissed.

.....J.
(AftabAlam)

.....J.
(R.M. Lodha)

New Delhi,
February 09, 2011.
ITEM NO.102

COURT NO.12

SECTION II

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). 994 OF 2007

STATE OF A.P.

Appellant (s)

VERSUS

T.R.C. MURTHY

Respondent(s)

(With office report)

Date: 09/02/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM

HON'BLE MR. JUSTICE R.M. LODHA

For Appellant(s) Mr. Harish Chander, Sr. Adv.
Ms. Madhurima Mridul, Adv.
For Mr. Arvind Kumar Sharma, Adv.

For Respondent(s) Mr. Pallav Shishodia, Sr. Adv.
Mr. A. Ramesh, Adv.
For Mr. T.N. Rao, Adv.

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

The appeal is dismissed in terms of the
signed order.

(Neetu Khajuria)
Sr. P.A.

(S.S.R. Krishna)
Court Master

(Signed order is placed on the file.)