

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

Petition(s) for Special Leave to Appeal (Crl) No(s).8751/2010

(From the judgement and order dated 21/04/2010 in CRLP No.
7207/2007 of The HIGH COURT OF A.P AT HYDERABAD)

J.V. RAMANA MURTHY Petitioner(s)

VERSUS

K.V. SUBBA RAO & ANR. Respondent(s)

(With appln(s) for ad-interim ex-parte stay and office report)

Date: 25/02/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

Mr. Rajesh Tyagi, Adv.
Mr. Atishi Dipankar, Adv.

For Respondent(s)

Mr. Sridhar Potaraju, Adv.
Mr. Gaichangpou Gangmei, Adv.

State of A.P.

Mr. D. Mahesh Babu, Adv.
Mr. Ramesh Allanki, Adv.

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

Leave granted.
The appeal is disposed of in terms of the signed
order.

(Sukhbir Paul Kaur)
Court Master

(Renuka Sadana)
Court Master

(Signed Order is placed on the file)
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.559 OF 2011
(Arising out of S.L.P.(Crl.)No.8751 of 2010)

J.V. RAMANA MURTHY Appellant(s)

Versus

K.V. SUBBA RAO AND ANR. Respondent(s)

O R D E R

Leave granted.

The High Court without even advertng to the facts disposed of the application filed by the appellant herein under Section 482 of the Code of Criminal Procedure to quash the proceedings in C.C.

No.1147 of 2007 pending on the file of the Court of the XI Metropolitan Magistrate, Hyderabad on the ground that the Trial Court "must have proceeded with the said case and decided the same". The High Court ought to have considered the matter on merits.

It is brought to our notice by learned counsel for the appellant about which there is no dispute that the proceedings on the file of the learned Metropolitan Magistrate, Hyderabad are still pending.

For the aforesaid reasons, the impugned order of the High Court is set aside. Criminal Petition ...2/-

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No.7207 of 2007 shall stand restored to its file for hearing and disposal on merits.

We make it clear that we have not expressed any opinion whatsoever on the merits of the case.

The appeal is accordingly, disposed of.

.....J.
(B.SUDERSHAN REDDY)

.....J.
(SURINDER SINGH NIJJAR)

New Delhi,
February 25, 2011