

Listed on :

Court No. :

Item :

SECTION-II

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL MISCELLANEOUS PETITION NO. 23576 OF 2012

(Application for condonation of delay in filing special leave petition)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL(CRL.) NO. OF 2012

Mohd. Ayyub & Anr. ...Petitioner(s)

VERSUS

State of Andhra Pradesh ... Respondent(s)

OFFICE REPORT

An Office Report on Default in respect of Petitioner No.2 in the matter above-mentioned was listed before the Hon'ble Judge in Chambers on 13th August, 2012 when his Lordship was pleased to pass the following order :

"Since the petitioner has failed to file proof of surrender in spite of time granted to him, the respondent-State be informed to take the petitioner into custody to serve out the sentence.

The application seeking exemption from surrender be treated as dismissed."

It is submitted that a certified copy of Record of Proceedings dated 13th August, 2012 was issued to the High Court and Trial Court, but proof of surrender in respect of Petitioner No.2 was not filed by Counsel for the Petitioners. Petitioner No.1 is already confined in Central

Prison, Cherlapalli, Andhra Pradesh.

:2:

The matter above mentioned was listed before the Hon'ble Court on 26th November, 2012 when the Court was pleased to pass the following order:

"Let this matter be listed after three weeks, having regard to the fact that from the Office Report, it appears that the petitioner No.2 is yet to surrender. "

It is submitted that Counsel for the Petitioners has not filed proof of surrender in respect of Petitioner No.2. Petitioner No.1 is already confined in jail.

The matter above mentioned is listed before the Hon'ble Court with this office report.

DATED this the 4th day of October, 2013.

ASSISTANT REGISTRAR

COPY TO:

Ms. G. Madhavi, Advocate

ASSISTANT REGISTRAR

c4/dk