

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS.127-128 OF 2017
(Arising out of SLP (Crl.) Nos.1764-1765 of 2013)

STATE OF A.P. . . .APPELLANT(S)

VERSUS

T. PATTABHIRAMA RAO ETC. ETC. . . .RESPONDENT(S)

WITH

CRIMINAL APPEAL NO(S).129 OF 2017
(Arising out of SLP (Crl.) No.1375/2013)

CRIMINAL APPEAL NO(S).130 OF 2017
(Arising out of SLP (Crl.) No.1766/2013)

CRIMINAL APPEAL NO(S).131 OF 2017
(Arising out of SLP (Crl.) No.5008/2013)

O R D E R

1. Leave granted.
2. Criminal Appeals arising out of Special Leave Petition (Crl) Nos.1764-1765/2013, 1375/2013 and 1766/2013 have been filed by the State of Andhra Pradesh against grant of bail to the respondents-accused in a proceeding under the Prevention of Corruption Act, 1988. Criminal Appeal arising out of Special Leave Petition (Crl) No.5008/2013 has been filed by one of the appellant-accused in the same case against refusal of bail.

3. By interim order dated 24.09.2014 passed by this Court, the appellant-accused in Criminal Appeal arising out of Special Leave Petition(Crl.) No.5008/2013 has been granted the benefit of bail. In the other appeals, there is no interim order interfering with the bail granted to the accused.

4. In an elaborate order of this Court dated 24.09.2014, the progress of the trial and the non-availability of a Presiding Officer of the Court, where the case has been pending, has been noticed. This Court had requested the High Court of Andhra Pradesh and Telengana to post a suitable officer as Principal Special Judge, SPE & ACB, Hyderabad for conduct of the trial in question.

5. We are told that pursuant to the said order an officer had been appointed. However, of-late the said Court is once again vacant. It is further stated by the learned counsel for the State that 77 witnesses out of 129 have been examined.

6. In the aforesaid circumstances, we are of the view that all the appeals should be

disposed of by continuing the bail granted by the High Court to the respondents-accused in Criminal Appeals arising out of Special Leave Petition (Crl.) Nos.1764-1765/2013, 1375/2013, 1766/2013 and by this Court by order dated 24.09.2014 to the appellant-accused in Criminal Appeal arising out of Special Leave Petition (Crl) No.5008/2013. Orders of the High Court are accordingly set aside.

7. We once again request the High Court of Andhra Pradesh and Telengana to appoint a suitable officer to man the Court as early as possible and request the learned trial Judge, after his appointment, to expedite the trial and conclude the same as expeditiously as possible.

8. All the appeals and pending applications shall stand disposed of in the above terms.

.....,J.
(RANJAN GOGOI)

.....,J.
(ASHOK BHUSHAN)

NEW DELHI
JANUARY 18, 2017

ITEM NO.3

COURT NO.4

SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).1764-1765/2013

(Arising out of impugned final judgment and order dated 25/09/2012 in CRLP No. 6806/2012 and CRLP No. 6855/2012 passed by the High Court of A.P. at Hyderabad)

STATE OF A.P.

Petitioner(s)

VERSUS

T. PATTABHIRAMA RAO ETC. ETC.

Respondent(s)

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

WITH

SLP(Crl) No. 1375/2013

(With appln.(s) for stay and Office Report)

SLP(Crl) No. 1766/2013

(With appln.(s) for stay and Office Report)

SLP(Crl) No. 5008/2013

(With appln.(s) for bail and Office Report)

Date : 18/01/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI

HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s)

Mr. P. Venkat Reddy, Adv.

Mr. Prashant Kr. Tyagi, Adv.

For M/s. Venkat Palwai Law Associates

Mr. D. Mahesh Babu, Adv.

Ms. Madhurima Tatia, Adv.

For Respondent(s)

Mr. M. P. Shorawala, Adv.

Mr. Pravin Satale, Adv.

Mr. Rajiv Shankar Dvivedi, Adv.

Mr. S.D. Singh, Adv.

Ms. Bharti Tyagi, Adv.

Mr. Vijay Kumar, Adv.

Mr. Amitesh Kumar, Adv.
Mr. Shashank Shekhar Singh, Adv.
Mr. Chandra Prakash, Adv.

Mr. P. Venkat Reddy, Adv.
Mr. Prashant Kr. Tyagi, Adv.
For M/s. Venkat Palwai Law Associates

Mr. D. Mahesh Babu, Adv.

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

Leave granted.

All the appeals and pending applications
shall stand disposed of in terms of the signed
order.

(Neetu Khajuria)
Court Master

(Asha Soni)
Court Master

(Signed order is placed on the file.)