

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.55 OF 2019
(Arising out of S.L.P.(Criminal) No.11126 of 2018)

ANDAVARAPU APPARAO ... APPELLANT(S)

VS.

STATE OF ANDHRA PRADESH ... RESPONDENT(S)

O R D E R

Leave granted.

After having heard counsel for the parties and on perusal of the record of the case, we are inclined to set aside the impugned order passed by the High Court and remand the case to the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh for deciding I.A.No.1/2018 afresh on its merits.

From perusal of the record, we find that the High Court has not assigned any reason in support of rejection and hence the remand of the case is called for to the High Court and fresh consideration of I.A.No.1/2018 on its merits .

The appeal is accordingly allowed and the impugned order is set aside.

Let the matter be reconsidered afresh on merits including the issue as regards to the maintainability etc.

.....J.
[ABHAY MANOHAR SAPRE]

.....J.
[R.SUBHASH REDDY]

New Delhi;
January 11, 2019.

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 (Cr1.) No(s). 11126/2018

(Arising out of impugned final judgment and order dated 10-08-2018 in IA No. 1/2018 in CRLA No.492/2016 passed by the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh)

ANDAVARAPU APPARAO

Petitioner(s)

VERSUS

STATE OF ANDHRA PRADESH

Respondent(s)

Date : 11-01-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. M.Rambabu, Adv.
Mr. N.Eswara Rao, Adv.
For M/S. M. Rambabu And Co., AOR

For Respondent(s) Ms. Prerna Singh, Adv.
Mr. Guntur Prabhakar, AOR
Mr. Prasanth Mathur, Adv.

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

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application, if any, shall also stand
disposed of.

(ANITA MALHOTRA)
COURT MASTER

(CHANDER BALA)
COURT MASTER

(Signed order is placed on the file.)