

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS.2400-2403 OF 2023
(Arising out of S.L.P.(Criminal) Nos.9825-9828 of 2023
@ Diary No.13425 of 2023)

T. RAJAREDDY @ GULLAREDDY & ANR. ... APPELLANT(S)

VS.

THE STATE OF TAMIL NADU & ANR. ... RESPONDENT(S)

O R D E R

Leave granted.

2. Heard the learned counsel appearing for the appellants and the learned counsel appearing for the second respondent.

3. A copy of the cancellation of Gift Settlement Deed dated 5th August, 2023 executed by the appellants is placed on record. There is no dispute between the parties that the said deed has been duly registered under the Indian Registration Act, 1908. This document records that the deed of Gift Settlement dated 26th December, 2006 bearing Document No.17905/2006 stands cancelled.

4. The learned counsel appearing for the second respondent has also confirmed the execution of the cancellation of Gift Settlement Deed.

5. The learned counsel appearing for the appellants states that they have withdrawn Civil Suit bearing O.S.No.0200230 of 2007 which was pending in the Court of the District Munsif-cum-Judicial Magistrate No.1, Hosur, However, the order of withdrawal is not available.

6. We clarify that the said Suit stands disposed of as withdrawn. It is further made clear that no liberty is reserved in favour of the appellants to file a fresh suit.

7. In view of the aforesaid two acts on the part of the appellants, the learned counsel appearing for the second respondent has no objection, if the conviction of the appellants is set aside.

8. After having perused the impugned judgments, we find that the basis of the prosecution is the dispute between the parties over an immovable property. Now, the said dispute has been completely settled.

9. In view of the settlement, we set aside the judgment and order dated 6th August, 2010 passed by the learned Judicial Magistrate No.II, Hosur in CC No.43 of 2008 and we direct that the appellants stand acquitted of the offences alleged against them. Consequently, the judgment dated 3rd April, 2018 of the Sessions Court in appeal and the impugned judgment dated 21st November, 2022 are set aside.

10. The appeals are accordingly disposed of on the above terms.

.....J.
(ABHAY S.OKA)

.....J.
(SANJAY KAROL)

NEW DELHI;
August 11, 2023.

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 13425/2023

(Arising out of impugned final judgment and order dated 21-11-2022 in CRLRC No. 798/2018 and CRLMP Nos. 9073/2018 to 9075/2018 passed by the High Court of Judicature at Madras)

T. RAJAREDDY @ GULLAREDDY & ANR.

Petitioner(s)

VERSUS

THE STATE OF TAMIL NADU & ANR.

Respondent(s)

(IA No. 92376/2023 - EXEMPTION FROM CUSTODY CERTIFICATE)

Date : 11-08-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s) Mr. Amolak, Adv.
 Mr. Mahendra Kumar, Adv.
 Ms. Smriti Sian, Adv.
 Mr. Ghanshyam Singh, Adv.
 Mr. Parveen Kumar, Adv.
 Mr. Kishor Kumar Pandey, Adv.
 Mr. M K Thakur, Adv.
 Mr. Mahendra Singh, Adv.
 Ms. Priya Sirohi, Adv.
 Mr. Alok Kumar Dwivedi, Adv.
 Ms. Swayam Prabha Das, Adv.
 Mr. Manjunath M G, Adv.
 Ms. Ruchi Munjal, Adv.
 Ms. Ekta Kapoor Kalia, Adv.
 Mr. Kumar Kartikay, Adv.
 Mr. Deepak Goel, AOR

For Respondent(s)

Mr. Subramaniam. S, Adv.
 Ms. Jagrati Singh, AOR
 Mr. Aravind.C, Adv.
 Mr. Vipin Singh Bansal, Adv.
 Mr. Sai Shashank, Adv.
 Mr. Ak Vijay Maghesh, Adv.
 Mr. Harshed Sundar, Adv.
 Ms. Prerna Mohapatra, Adv.
 Ms. Amrita Verma, Adv.

Dr. Joseph Aristotle S., AOR
Ms. Vaidehi Rastogi, Adv.
Ms. Shubhi Bhardwaj, Adv.

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

Leave granted.

The appeals are disposed of in terms of the signed
order.

Pending application also stands disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER

(Signed order is placed on the file.)