

(2011) 11 SC CK 0044

In the Supreme Court Of India

Case No : Criminal Appeal No. 2012 of 2011 (Arising out of SLP (Criminal) No. 7805 of 2011)

Byrraju Ramaa Raju

APPELLANT

Vs

State through The Central Bureau of Investigation

RESPONDENT

Date of Decision : 04-11-2011

Acts Referred:

Citation : AIR 2012 SC 505 : (2012) CriLJ 987 : (2011) 13 SCALE 74 : (2012) 1 SCC 576 : (2012) 1 UC 327

Hon'ble Judges : Dipak Misra, J; Dalveer Bhandari, J

Bench : Division Bench

Final Decision : Allowed

Judgement

1. Leave granted in all the matters.

2. In these cases, bail was granted by the High Court of Andhra Pradesh on 20th August, 2010. Against that order, appeals were filed before this Court by the Central Bureau of Investigation, Hyderabad. This Court by order dated 26th October, 2010, cancelled the bail granted by the High Court and requested the Trial Court to conclude the trial of these cases on or before 31st July, 2011. In pursuance to the directions of this Court, the Trial Court has examined 226 prosecution witnesses. Examination-in-Chief of 15 Investigating Officers is complete, out of them, 8 Investigating Officers have been fully cross-examined and the remaining Investigating Officers have to be cross-examined.

3. We have heard the learned senior counsel appearing on behalf of the Appellants and the learned Additional Solicitor General appearing for the Central Bureau of Investigation.

4. Admittedly, the accused Appellants have already undergone actual sentence of two years and eight months.

5. In pursuance to the directions of this Court, the Appellants have filed affidavits

before this Court stating therein that they would not examine the witnesses given up by the prosecution. Learned counsel appearing for the parties submitted that the parties have cooperated with the Trial Court and they would continue to do so. They have further undertaken to strictly adhere to the time schedule fixed by the Trial Court.

6. We once again request the Trial Court to ensure that the trial of these cases is completed as expeditiously as possible.

7. We have carefully considered totality of the facts and circumstances of these cases. The accused appellants have already undergone actual sentence of two years and eight months. In this view of the matter, we deem it appropriate to release the accused-appellants on bail on their furnishing personal bonds for Rs. 2 lakhs each with two solvent sureties each in the like amount, to the satisfaction of the Trial Court subject to the following conditions :

(i) The accused-appellants shall deposit their passports before the Trial Court if not already seized or deposited.

(ii) The accused-appellants shall not influence the trial either directly or indirectly and further investigation in any manner.

(iii) In case the indulgence granted by this Court is abused by the accused-appellants, the prosecution would be at liberty to approach this Court for cancellation of the bail granted to them.

8. With the aforementioned observations and directions, these appeals and the criminal miscellaneous petitions are disposed of.