

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

CRIMINAL APPEAL NO. 1679 OF 2008

[Arising out of SLP(Crl.) No.6713/2007]

CHADALAVADA SRILATHA **... APPELLANT(S)**

:VERSUS:

A.V.S. MALLIKARJUNA RAO AND ANR. **... RESPONDENT(S)**

ORDER

Leave granted.

Mr. Altaf Ahmed, learned senior counsel appearing on behalf of the appellants states that an affidavit has been filed in terms of this Court's order dated 12.5.2008.

Having heard the learned counsel for the parties, we are of the opinion that keeping in view the statements made by Ch. Srilatha in her affidavit affirmed on 26th November, 2007 as also the statement made before us that she was unable to appear before the authorities under the Customs Act pursuant to the summons issued on 6.12.2005, 5.1.2006 and 2.2.2006 as she did not have sufficient time therefor and furthermore in view of the fact that she has now appeared

before the Senior Intelligence Officers and Revenue Intelligence, Hyderabad on 22nd, 23rd and 24th September, 2008, no useful purpose will be served in allowing the prosecution under Sections 174 and 175 of the Indian Penal Code (being CC No. 1191/2006) to continue.

However, we place on record the statement made by the learned Additional Solicitor General that the statements made by Ch. Srilatha that she had neither worked with M/s. Sravani Impex Pvt. Ltd. nor associated herself with any of its business activities, are not correct. The said issue may be determined in an appropriate proceedings.

We furthermore make it clear that we have not entered into the merit of the main matter. The authorities may proceed to decide the merit of the matter in those proceedings in accordance with law.

With the aforementioned observation, the criminal complaint is quashed. The appeal is disposed of accordingly.

.....J
(S.B. SINHA)

.....J
(CYRIAC JOSEPH)

NEW DELHI,
OCTOBER 17, 2008.