

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.1825 of 2015

ORDER:

This revision is preferred challenging the order dated 07-08-2015 passed in Crl.R.P.No.28 of 2015 by the II Additional Sessions Judge, Hindupur, Anantapur District, reversing / setting aside the order dated 16-04-2014 passed in M.C.No.8 of 2012 by the Judicial Magistrate of First Class, Madakasira, Anantapur District.

The main grievance of the petitioner herein is that the trial Court dismissed the petition filed by Respondent Nos.2 and 3 herein holding that respondent Nos.2 and 3 are not wife and son respectively of the petitioner herein, whereas, when the matter carried by way of revision by the respondent Nos.2 and 3 herein, the revisional court passed the impugned order without hearing the petitioner herein. It is informed in the order that even though notice was sent, which is returned as unclaimed.

The learned counsel for the petitioner submitted that he is ready to appear before the concerned Court and prosecute the matter, if another opportunity is given.

Considering the facts and circumstances of the case, the Criminal Revision Petition No.28 of 2015 is directed to be restored on file of the II Additional Sessions Judge,

Hindupur and the II Additional Sessions Judge is directed to hear the parties afresh and pass appropriate orders in accordance with law. The petitioner is also directed to communicate this order before the II Additional Sessions Judge, Hindupur on or before 25-09-2015 and on such appearance along with petition, the learned II Additional Sessions Judge is directed to dispose of the matter as expeditiously as possible after issuing notice to respondents also.

Accordingly, the Criminal Revision Case is disposed of.

Miscellaneous petitions filed in this revision, if any, shall stand closed.

RAJA ELANGO, J.

01st September, 2015

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