

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Criminal Petition No.1023 of 2015

ORDER:

In this petition filed under Section 482 Cr.P.C., petitioner/A4 seeks to set aside the dismissal order dated 19.01.2015 passed by the learned II Additional District and Sessions Judge, Madanapalle whereunder he dismissed the revision petition filed by the petitioner/A4 due to his absence.

2) Heard.

3) Considering the fact that petitioner/A4 was not originally shown as accused and his name along with A2 and A3 was deleted by the police at the time of filing charge sheet and it was only on the request of LWs.1 and 2 the trial Court took cognizance against A2 to A4 and aggrieved by the said order the petitioner/A4 preferred revision and he has a good case to submit in the revision, this Court is of the view that summary dismissal of revision due to his absence is not apt.

4) Accordingly, this Criminal Petition is allowed and dismissal order dated 19.01.2015 passed in Criminal Revision Petition No.84 of 2014 by the II Additional District and Sessions Judge, Madanapalle is set aside and Criminal Revision Petition No.84/2014 is restored to file with a direction to the II Additional District and Sessions Judge, Madanapalle to dispose of the said Criminal Revision Petition on merits at the earliest.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 26.02.2015

Murthy