

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.955 of 2015

ORDER:

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This Criminal Revision Case is filed by the petitioner-accused aggrieved by the order dated 06.05.2015 passed in CrI.M.P.No.292 of 2015 in C.C. No.638 of 2009 on the file of V Additional Junior Civil Judge, Nellore whereby the application filed by the petitioner seeking to send for the documents i.e. Income Tax returns of the complainant for the years 2007-2008 to 2011-2012 was dismissed.

Heard and perused the material available on record.

The trial Court while dismissing the application filed by the petitioner, at para No.6 of the impugned order observed as under:

“6.....Whether the respondent/complainant had really shown the transaction in his income tax returns or not is no way concerned to the facts of the present case and also no way concerned to the point which has to be determined in this case. If it is presumed for a while that respondent/complainant has not shown the transaction in his income tax returns, in such a case also, it will no way effect the present case on hand for the reason as stated above. Therefore, I am agreeing with the learned counsel for the respondent/complainant. As rightly submitted by him, there are no merits in the present petition. Therefore, the petition is liable to be dismissed.”

As rightly observed by the trial Court, even assuming that the income tax returns of the complainant does not disclose the transaction between the petitioner and the de facto complainant, still it will not improve the case of the accused-petitioner herein. Hence, the impugned order passed by the trial Court is in accordance with law and does not warrant interference by this Court.

Accordingly, the revision case is dismissed.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

11th December, 2015
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