

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.3051 OF 2015

ORDER:

The petitioners have preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.) being aggrieved by the order dated 06.08.2015 passed in Crl.M.P.No.28 of 2013 in S.C.No.24 of 2011 on the file of the VI Additional District Judge-cum-Sessions Judge, Mahila Court, Visakhapatnam, whereby the learned Judge dismissed the petition filed by the petitioners/A.1 and A.2 seeking discharge from the proceedings initiated against them.

Heard the learned counsel for the petitioners/A.1 and A.2 and the learned Public Prosecutor and perused the material available on record.

This Court is of the view that the court below rightly dismissed the petition filed by the petitioners seeking discharge observing that unless trial takes place and entire material is brought on record, one cannot say whether accusations made against the petitioners are true or not. The Order of the Court below is in accordance with law and needs no interference by this Court.

In any event, considering the nature of allegations and also as the question of identity of the petitioners/A.1 and A.2 does not arise, the presence of the petitioners/A.1 and A.2 before the trial Court is dispensed with except on the dates when the trial Court insists for their appearance. The trial Court is directed to proceed with the trial.

The Criminal Revision Case is accordingly disposed of. Consequently, the miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

08.12.2015
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