

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2422 OF 2015

ORDER:

The present criminal revision case is filed by the petitioner challenging the order, dated 28.07.2015, passed in M.C.No.10 of 2015 by the Sub Divisional Magistrate, Kakinada, whereby the Sub Divisional Magistrate directed the petitioner herein to appear before him on 22.08.2015 to answer a charge.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the Sub Divisional Magistrate passed the impugned order erroneously and as such, prays this Court to set aside the order.

This Court is of the view that when an order is passed directing the petitioner to appear before the Officer concerned either under Section 107 of the Code of Criminal Procedure (CrPC) or under Section 145 CrPC, the same cannot be challenged before this Court without any valid reason. Further, the counsel for petitioner is not aware whether the petitioner attended before the Sub Divisional Magistrate or not on the date so fixed. The criminal revision case is liable to be dismissed.

The criminal revision case is accordingly dismissed. Consequently, the miscellaneous petitions, if any, pending in this revision, shall stand closed.

JUSTICE RAJA ELANGO

07.11.2015

pln