

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2230 of 2015

ORDER:

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1. This Criminal Revision Case is filed by the petitioner-Accused No.5 seeking to set aside the docket order dated 31.8.2015 passed in CrI.M.P.No.619 of 2015 in C.C.No.22 of 2003 by the Principal Special Judge for CBI Cases, Hyderabad, and to direct the learned Special Judge to hear and dispose of CrI.M.P.No.619 of 2015.

2. The petitioner is arrayed as A5 in the above C.C. and he is facing trial. The grievance of the petitioner herein is that one of the accused viz., A6 filed a discharge petition before the trial Judge and the same was dismissed and hence, A6 filed CrI.R.C.No.241 of 2010 before this Court and obtained stay of all further proceedings in the above C.C. When the petitioner-A5 filed applications from time to time seeking permission to go to abroad for his employment, the same were allowed. While so, the petitioner-A5 filed CrI.M.P.No.619 of 2015 seeking to allow one Aditya Santosh Kumar to represent the petitioner-A5 as Special Vakalat Holder in the proceedings in the above C.C. The learned trial Judge refused to hear the petition on the ground that interim stay granted by this Court is continuing in the main case. Aggrieved by the same, the petitioner filed this revision.

3. Heard and perused the material available on record.

4. Considering the submissions made by both the Counsel, this Court is of the view that whenever miscellaneous applications are filed, it is always left open to the trial Judge to pass appropriate orders. The stay granted by this Court is only to the extent of continuation of the trial concerned. The above miscellaneous petition filed in the present case is for some other relief. Therefore, the learned Special Judge is directed to dispose of the CrI.M.P.No.619 of 2015 as expeditiously as possible.

5. Accordingly, the Criminal Revision Case is disposed of. Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 8.10.2015

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