

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.3123 OF 2015

ORDER:

This criminal revision case under Sections 397 and 401 of the Code of Criminal Procedure is filed by the petitioner/accused seeking to set aside the order, dated 02.12.2015 passed in C.C.No.14 of 2015 by the Court of the Special Judge for SPE and ACB Cases, Vijayawada, whereby the learned Judge fixed the date for the evidence of the petitioner as 09.12.2015, though the petitioner is under treatment for his illness.

Heard and perused the material.

The order impugned, dated 02.12.2015, passed by the Court of the Special Judge for SPE and ACB Cases, is as follows.

Accused absent, petition filed along with documents, the same is allowed. Since it is the oldest case, the accused is asked to file all the Medical Records including prescriptions through his Advocate, as to examine the case and fix the date for his evidence, call on 09.12.2015.

On perusing the order extracted above, this Court is of the view that there is nothing to interfere and set aside the order impugned since the learned trial Judge was of the view that as it is the oldest case, adjourned to 09.12.2015 for examination of the witness and also directed the petitioner to submit all medical records and also the prescriptions to substantiate the fact that the petitioner could not appear before the Court and also to substantiate that there is a need to adjourn the case.

If the petitioner is intended to establish the fact that the petitioner is not in a position to appear before the Court concerned due to his illness, he is at liberty to file an application along with the medical records, before the Court below on or before 05.01.2016, and on such filing, the Court below is directed to consider the same in accordance with law.

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

JUSTICE RAJA ELANGO

15.12.2015
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