

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2945 OF 2015

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ORDER:

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This revision is filed by the accused challenging the order of the Special Magistrate-V, Hyderabad dated 16.09.2015 whereby the Special Magistrate dismissed CrI.M.P.No.739 of 2015 in C.C.No.302 of 2012 filed by the petitioner herein to recall P.W.1 for further cross-examination.

Now, it is informed by the learned counsel for the petitioner that the matter is posted for hearing on 03.12.2015 before the trial Court.

Considering the facts and circumstances of the case, without going into merits of the case, the revision is disposed of with the following directions:

The petitioner is directed to pay a sum of Rs.5,000/- towards costs to P.W.1 on 03.12.2015 and if P.W.1 is present before the trial Court on 03.12.2015, the petitioner shall be permitted to cross-examine P.W.1 and after such cross-examination, the trial Court shall proceed with the matter. If the petitioner fails to deposit the costs to P.W.1 and fails to cross-examine P.W.1 on 03.12.2015 if P.W.1 is available on that day, the trial Court is at liberty to proceed with the trial in accordance with law.

Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

02.12.2015

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