

THE HON'BLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.3069 OF 2015

ORDER:

This Criminal Revision Case is filed by the petitioners, challenging the order, dated 25.11.2015 passed in CFR No.4648 of 2015 by the V Additional Junior Civil Judge, Guntur, whereby the learned Magistrate has returned the application filed by the petitioners.

Heard and perused the material available on record.

It is the case of the petitioners that the 2nd respondent and 1st petitioner - A1 got divorce through divorce decree, dated 31.08.1998. Thereafter, they married other persons and living with their spouses separately. The petitioners filed an application before the Court below stating that since the 2nd respondent married another person and living with him as his wife, the criminal proceedings against them may be dismissed. On the said application, the Court below has passed the following order vide order, dated 25.11.2015:

"How this petition is maintainable. Hence, petition returned."

Aggrieved over the above order, the present revision is filed by the petitioners.

When the Court below returned any application filed by the petitioners, questioning the maintainability, it is left open to the petitioners to file a memo informing the maintainability of that petition. On such filing of memo, the Court below is at liberty to pass appropriate orders in accordance with law. Hence, the petitioners are directed to file a memo informing the maintainability of the application filed by them. On such filing of memo, the Court below is directed to the pass appropriate

orders in accordance with law.

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

RAJA ELANGO, J

December 09, 2015.

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