

THE HONOURABLE SRI JUSTICE RAJA ELANGO
Criminal Revision Case No.1518 of 2015

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ORDER:

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The petitioner filed this Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Criminal Procedure Code being aggrieved by the docket order dated 06-07-2015 passed in S.R.No.2093 of 2015 by the III Additional Judicial Magistrate of First Class, Khammam, wherein and whereby the learned Magistrate dismissed the complaint at S.R. stage without recording the statement of the complainant.

This Court perused the records and heard the arguments.

Even though the order disclosed that there is nothing on record to take cognisance of the offences, but on such filing of the complaint, it is the duty of the Magistrate to record the sworn statement and thereafter decide the issue as per the provisions of the Code of Criminal Procedure.

Considering the said fact, the trial Court is directed to restore the S.R. No.2093 of 2015 on file and after recording the sworn statement of the complainant, the Magistrate is at liberty to pass appropriate orders.

Accordingly, the Criminal Revision Case is disposed of.

Miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

31st August, 2015.

skmr