

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1735 OF 2015

ORDER:

The petitioner has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.) being aggrieved by the order dated 31.07.2015 passed in CrI.M.P.No.5 of 2015 in C.C.No.300 of 2015 on the file of the Special Judicial First Class Magistrate, Bheemunipatnam, whereby the learned trial Judge dismissed the petition filed by the petitioner seeking to drop all further proceedings in the case and close the complaint by acquitting the petitioner.

Heard and perused the material available on record.

Learned counsel for the petitioner, after arguing for some time, confined his argument only in connection with the presence of the petitioner before the Court below.

This Court is of the view that the learned trial Judge rightly dismissed the petition filed by the petitioner to drop all further proceedings and close the complaint. The Order of the Court below is in accordance with law and needs no interference by this Court.

In any event, considering the submission of the learned counsel for the petitioner and also as the question of identity of the petitioner/accused does not arise, the presence of the petitioner/accused before the trial Court is dispensed with except on the dates when the trial Court insists for his appearance. The trial Court is directed to proceed with the trial.

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

JUSTICE RAJA ELANGO

26.08.2015

pln