

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2027 of 2015

ORDER:

This Criminal Revision Case is filed by the petitioners challenging the order, dated 17.08.2015, passed in CrI.M.P.No.207 of 2013 in CC No.541 of 2006 by the First Metropolitan Magistrate, Vijayawada.

Heard and perused the material available on record.

The brief facts of the case are that the 2nd respondent lodged a private complaint alleging offence punishable under Section 506 IPC against the petitioners and the Court below took cognizance of the same and numbered it as CC No.541 of 2015. The application filed by the petitioners before the Court below seeking to discharge them from the said offence on the ground that no offence is made out against them was dismissed by the Court below through the impugned order, dated 17.08.2015. Challenging the same, the present revision case is filed.

Learned counsel for the petitioners submitted that the Court below has erroneously dismissed the application of the petitioners and failed to consider that there are civil cases pending between the parties and as per the evidence of PWs.1 to 4 also, no case is made out against the petitioners.

A reading of the order passed by the trial Court and also the material available on record discloses that there are civil disputes pending between the parties. When this Court expressed its opinion that this Court is not inclined to discharge the petitioners from the said offence, learned counsel for the petitioners confined his arguments only to the extent of dispensing with the presence of the petitioners before the Court below.

Considering the facts and circumstances of the case, the presence of the petitioners is dispensed with before the concerned Court, except on the dates on which the trial Judge insists for their appearance.

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

RAJA ELANGO, J

October 05, 2015.
KTL