

HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.2008 of 2014

ORDER:

This revision case is filed by the petitioner challenging the order, dated 17.09.2014, passed in CrI.M.P. No.246 of 2014 in Spl.S.C. No.21 of 2012 by the Special Judge for trial of cases under SCs/STs (PoA) Act – cum – V Additional District and Sessions Judge, Adilabad.

Heard and perused the material available on record.

The petitioner herein, who is complainant in the above S.C., filed the above application under Section 13-A (1) of the Criminal Rules of Practice, before the trial Court seeking to examine four witnesses, apart from the witness cited in the case disposal report by the police. The learned trial Judge dismissed the said application by observing as follows:

“In the instant case, the complainant has engaged a private counsel and the said counsel has filed this petition without the consent of the public prosecutor in which he has no locus standi and hit by U/sec.225 Cr.P.C.

Aggrieved by the said order, the petitioner filed this revision.

Learned counsel for the petitioner submitted that initially the police referred the case as mistake of fact, but on the protest petition filed by the petitioner, the case was registered and therefore, he has every right to ask for examination of additional witnesses during the course of trial, but the trial Court has erroneously dismissed the said application.

Having heard the arguments of the learned counsel on either side and after perusing the order of the trial Court, this Court is of the view that the observation made by the learned trial Judge is in accordance with law and this Court is not inclined to interfere with the same. Hence, the Criminal Revision Case is disposed of with the

following observation:

“The trial Court is at liberty to consider the application, if any, filed by the Public Prosecutor, who is prosecuting the case, and also directed to dispose of the case as expeditiously as possible.”

Miscellaneous Petitions, pending if any, shall stand closed.

RAJA ELANGO, J

September 16, 2015

KTL