

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1754 OF 2015

ORDER:

The petitioners have 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 09.07.2015 passed in Crl.M.P.No.172 of 2014 in C.C.No.286 of 2013 on the file of the V Additional Judicial Magistrate of First Class at Kakinada, whereby the learned trial Judge dismissed the petition filed by the petitioners seeking to discharge them from the case.

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 discharge them from the case. 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 petitioners and also as the question of identity of the petitioners/accused does not arise, the presence of the petitioners/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

31.08.2015

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