

HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.663 of 2015

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ORDER:

This revision is filed by the petitioner-complainant being aggrieved by the order of return of Crl.M.P. in S.C.No.35 of 2014 on the file of VII Additional Sessions Judge, Gudur, SPSR Nellore District, on 5.2.2015.

Brief facts of the case are as follows:

On the basis of the complaint lodged by the petitioner herein, a case was registered against four persons and the case is pending before the VII Additional Sessions Judge, Gudur. Meanwhile, aggrieved by the charge sheet filed against four persons deleting the names of the other persons involved in the crime, the petitioner filed a private complaint before the Judicial Magistrate of First Class, Venkatagiri under CF No.7086 of 2014 dated 13.10.2014, and her sworn statement was also recorded on 21.11.2014, and the matter has been adjourned for recording the sworn statements of the other witnesses. The petitioner filed a memo before the learned VII Additional Sessions Judge, Gudur praying to adjourn the matter i.e., S.C.No.35 of 2014 till disposal of CF No.7086/2014 on the file of the Judicial Magistrate of First Class, Venkatagiri. The said memo was rejected. Hence, the petitioner filed this revision.

The main grievance of the petitioner is that the learned trial Judge refused to accept the memo and that no speaking orders were passed on the said memo.

It is pertinent to note that when a memo or petition is filed before the Court, it is the duty of the Court to receive the same and dispose of the same on merits. In view of the same, the order of the learned XII Additional Sessions Judge, Gudur, dated 5.2.2015 is set aside. The learned Additional Sessions Judge, Gudur is directed to number the memo filed by the petitioner and pass appropriate orders in accordance with law.

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

Justice Raja Elango

Dated: 2.6.2015

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