

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1916 of 2015

ORDER:

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1. This Criminal Revision Case is filed by the petitioner challenging the order dated 11.8.2015 passed in CrI.M.P.No.417 of 2014 in M.C.No.6 of 2011 by the Judicial Magistrate of First Class, Vayalapad.

2. The petitioner is the husband of the 2nd respondent. He filed the above CrI.M.P. under Section 294 Cr.P.C. seeking to condone the delay and to receive the documents mentioned in the petition. The Court below allowed the petition in part receiving documents Nos.7 to 12 listed in the petition. Insofar as the other documents are concerned, the Court below rejected to receive the same. Aggrieved by the order of the Court below in rejecting to receive the other documents, the petitioner filed this revision.

3. Heard and perused the material available on record.

4 .The application filed by the petitioner under Section 294 Cr.P.C. is not maintainable. However, the trial Court after considering the nature of the documents, received some of the documents as part of record subject to proof, relevancy and admissibility. After perusing the nature of each and every document only, the trial Court rejected to receive some of the documents on the ground that they are not necessary for adjudication of the issue in the above M.C. Therefore, this Court is not inclined to interfere with the order under revision and hence, the revision is liable to be dismissed.

5. Accordingly, the Criminal Revision Case is dismissed. Consequently, the miscellaneous petitions pending, if any, shall stand dismissed.

JUSTICE RAJA ELANGO

Dated: 9.9.2015

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