

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.246 of 2014

ORDER:

-

This Criminal Revision Case is filed under Sections 397 and 401 of the Code of Criminal Procedure (Cr.P.C.), questioning the order dated 17.01.2014, passed in CrI.M.P.No.116 of 2013 in CrI.A.No.175 of 2011 on the file of the V Additional District and Sessions Judge, Tirupati.

The facts in issue are as under:

The petitioner herein was tried in S.T.C.No.27 of 2008 on the file of the IV Additional Judicial First Class Magistrate, Tirupati for an offence punishable under Section 138 of the N.I.Act. By its judgment dated 22.07.2011, the learned Magistrate convicted the petitioner for the said offence. Aggrieved by the same, he preferred CrI.A.No.175 of 2011 before the Court of the District and Sessions Judge, Chittoor. Pending the said appeal, the petitioner filed M.P.No.116 of 2013 under Section 45 of the Evidence Act seeking to send Ex.P1 (cheque) to the Government hand writing expert, Hyderabad, for the purpose of comparison of signatures with the admitted signatures in Exs.D1, D2 and D4. By an order dated 17.01.2014, the said application was dismissed. Challenging the same, the present revision is filed.

A perusal of the material on record would show that pending trial the petitioner made similar application vide CrI.M.P.No.2272 of 2009 which was rejected. The order of dismissal has become final, as the same was not challenged. Subsequently, the above said application was filed for the same relief, which was rightly rejected.

Having regard to the said circumstances, I see no reason to interfere with the order passed by the trial Court.

Accordingly, the revision is dismissed.

As a sequel, Miscellaneous Petitions, if any, pending in this revision shall stand closed.

JUSTICE C. PRAVEEN KUMAR

06.02.2015
vnb