

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.1830 of 2014

ORDER:

This revision is preferred challenging the order dated 19-08-2014 passed by the Principal Junior Civil Judge, Gudivada in CrI.M.P. No.830 of 2014 in C.C.No.76 of 2013, wherein and whereby the learned Magistrate allowed the petition filed by the 02nd respondent-complainant to reopen the case and examine one S.Naga Venu Kumar, Branch Manager, Andhra Bank, Jaggayyapeta and also the accused.

The grievance of the petitioner-accused is that after completion of the evidence, the 2nd respondent-complainant filed a petition to re-open the same without any reason whatsoever and the trial Court has also passed an order without adducing any reasons for allowing the petition.

Heard the arguments and perused the records, including the petition filed by the 2nd respondent herein and also the order passed by the learned Junior Civil Judge.

As rightly pointed out by the learned counsel for the petitioner-accused, the petition does not disclose the

specific reason for reopening the case and also for examining the two persons mentioned in the order. The learned Junior Civil Judge has also not discussed the contention of the petitioner-accused as well as the de facto-complainant. He simply allowed the application without adducing any reason for such an order. Hence, this Court is of the view that whenever an application is filed before the Court, the petition should contain the reasons for the relief sought and the orders of the Court also to be a speaking order to enable the appellate court to understand the reason for allowing such an application.

Hence, the order dated 19-08-2014 passed in Crl.M.P.No.830 of 2014 in C.C.No.76 of 2013 by the Principal Junior Civil Judge, Gudivada is hereby set aside. It is left open to the 2nd respondent-complainant to file a fresh application, if he so desires, and on filing of such application, the trial Court is directed to pass appropriate orders.

Accordingly, the Criminal Revision Case is allowed. Consequently, pending Miscellaneous petitions, if any, in this revision shall stand closed.

RAJA ELANGO, J.

18th June, 2015

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