

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1613 OF 2016

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ORDER:

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The petitioner/complainant has 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 04.04.2016 passed in S.R.No.2088 of 2016 on the file of the I Additional Judicial Magistrate of First Class, Tadepalligudem, whereby the learned Magistrate rejected the complaint of the petitioner/complainant by observing that there is no *prima facie* case or that the complaint does not disclose the essential ingredients of offences which are alleged to have been committed by A.1 to A.4.

Heard and perused the material available on record.

Learned counsel for the petitioner/complainant submits that the Court below erred in rejecting the complaint without recording the sworn statement of the petitioner and his witnesses. He further submits that the Court below ought to have taken the cognizance or ought to have referred the same to the police for investigation.

Considering the facts and circumstances of the case, the Court below is directed to restore the complaint filed under Section 200 CrPC., on its file, and also directed to examine the witnesses concerned and to pass appropriate orders either to order enquiry or to take cognizance under Section 202 CrPC or to dismiss the complaint under Section 203 CrPC.

With the above directions, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

12.07.2016

Pln