

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.3237 OF 2015

ORDER:

The present criminal revision case is filed by the petitioner challenging the order, dated 20.11.2015, passed in Cr.M.P.No.605 of 2015 by the Court of the Additional Judicial Magistrate of First Class, at Bodhan, whereby the Court below allowed the petition filed by the second respondent herein and appointed an Advocate Commissioner to search the house of the petitioner herein and if he finds the detainee, who is the mother of the petitioner as well as the second respondent, he shall take the custody of such woman and produce her before the Court along with the detailed report.

Heard and perused the records.

Learned counsel for the petitioner submits that the order of the Court below is implemented and the Advocate Commissioner searched the house of the petitioner herein and produced the mother of the petitioner herein before the Court concerned. He further submits that after appearance of the mother of the petitioner before the Court, she was forcibly taken away by the first respondent herein.

Considering the facts and circumstances of the case, this Court is of the view that the order of the Court below is already implemented, nothing survives in the criminal revision case. Further, if it is the grievance of the petitioner that his mother was taken away by the first respondent herein forcibly, he can seek appropriate relief before appropriate Court and not by way of filing the criminal revision case under Sections 397 and 401 of the Code of Criminal Procedure.

The Criminal Revision Case is accordingly disposed of. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

19.01.2016
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