

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.6489 OF 2016

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ORDER:

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This petition is filed by the petitioner-accused No.2 under Section 482 Cr.P.C. seeking to set aside the order dated 4.4.2016 passed in CrI.M.P.No.1035 of 2016 in C.C.No.107 of 2014 by the Special Judge for Economic Offences-cum-VIII Additional Metropolitan Sessions Judge, Hyderabad.

Heard and perused the material available on record.

The petitioner is alleged to have committed the offence punishable under Sections 276C, 277 and 278B of Income Tax Act. In the above C.C., the petitioner filed the above CrI.M.P. seeking to recall P.W.1 for the purpose of cross-examination. On 4.4.2016, the trial Court allowed the application on condition of payment of costs of Rs.1,500/- forthwith. As the petitioner failed to pay the costs by 5.15 p.m. on the same day, the trial Court dismissed the above CrI.M.P.

Considering the facts and circumstances of the case, this Court is inclined to pass the following order:

“The petitioner is directed to file a fresh application for the same relief before the trial Court. On such application being filed, the trial Court is directed to dispose of the same in accordance with law. Till disposal of such application, the trial Court is directed not to proceed further in the above C.C.”

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 27.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 27.4.2016

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