

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.2436 OF 2014

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ORDER:

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This Criminal Revision Case is filed by the sole accused challenging the order of the Additional Judicial Magistrate of First Class, Peddapuram dated 28.11.2014 in dismissing Crl.M.P.No.4628 of 2014 in Crime No.109 of 2013 filed by the petitioner under Section 45 of Indian Evidence Act to subject the complainant and also her children to DNA test for getting scientific report.

Heard and perused the material available on record.

The trial Court dismissed the application of the petitioner holding that it is filed at premature stage. Now, it is also informed by the learned Additional Public Prosecutor that a charge sheet in the crime is also filed on 20.4.2015.

Now, it is informed by the learned counsel for the petitioner that the complainant has also agreed for undergoing DNA test. In the circumstances, the petitioner is directed to file a fresh application before the trial Court and on filing such an application, the trial Court shall consider the same and decide the issue in accordance with law.

The Criminal Revision Case is accordingly disposed of.

Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

08.02.2016

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