

**THE HON'BLE SRI JUSTICE RAJA ELANGO**

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**CRIMINAL PETITION No.1799 OF 2016**

**ORDER:**

The petitioner/complainant has preferred the present criminal petition by invoking the provisions under Section 482 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the order, dated 12.11.2015, passed in S.R. No.2191 of 2015 by the X Additional Chief Metropolitan Magistrate, at Secunderabad, whereby the learned Judge refused to take cognizance of the case against the respondents 1 to 4 herein.

Heard and perused the material available on record.

The allegation against the respondents 1 to 4 herein is that they have cleaned the blood stains in the Hotel with in intention to screen the evidence. After due enquiry, the Police filed the charge sheet showing the respondents 1 to 4 as witnesses and not the accused. The petitioner filed the protest petition challenging the same and that the Court below dismissed the plea of the complainant to add the respondents 1 to 4 as accused and also dismissed the complaint.

This Court is of the view that the present criminal petition filed under Section 482 of the CrPC is not maintainable and that the remedy available to the petitioner is to file the criminal revision case. Hence, the criminal petition is disposed of giving liberty to the petitioner to file criminal revision case by invoking appropriate provisions and the Registry is directed to return the original documents to the petitioner herein.

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

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**JUSTICE RAJA ELANGO**

15.02.2016  
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