

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5037 OF 2016

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ORDER:

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This petition is filed by the petitioners challenging the order dated 10.3.2016 passed in CrI.M.P.No.507 of 2016 in D.V.C.No.6 of 2015 by the Judicial Magistrate of First Class, Achampet, Mahabubnagar District.

The petitioners filed the above CrI.M.P. seeking to recall P.Ws.1 and 2 for further cross-examination. The trial Court dismissed the said application. Hence, the petitioners filed this petition.

Heard and perused the material available on record.

In the order under challenge, the trial Court observed as follows:

“The submission of the 1st petitioner that he was not able to attend the court on the date of cross-examination of P.W.1, was not tenable as from the record, it is clear that ample opportunities were given to him before concluding the cross-examination of P.W.1 so also the examination of P.Ws.2 to 4. It is further observed that the 1st petitioner submitted that he found certain evidence to prove his case that P.W.1 voluntarily left the society of the 1st petitioner after reading the cross-examination of P.W.1, which can also be elicited through his evidence and recalling of P.Ws.1 and 2 on this ground is not tenable.”

Considering the observations made by the trial Court, this Court is not inclined to interfere with the order under challenge. Hence, the Criminal Petition is liable to be dismissed.

Accordingly, the Criminal Petition is dismissed. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

JUSTICE RAJA ELANGO

Date : 12.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 12.4.2016

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