

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL REVISION CASE No.1690 of 2012

ORDER:

This revision is filed by the petitioner under Section 397 read with 401 Cr.P.C. challenging the orders dated 22.08.2012 in CrI.M.P.No.970 of 2012 in C.C.No.121 of 2010 on the file of the Court of II Additional Judicial Magistrate of First Class, Bhimavaram, West Godavari District.

Heard both sides.

A perusal of the record reveals that the petitioners herein filed a petition under Section 242(2) Cr.P.C. to receive the documents and the same was allowed by the trial Court on 22.08.2012. A perusal of the record reveals for one reason or other the petitioners did not file counter. Both counsels with one voice submitted that the impugned order is passed without there being any counter of the petitioners. They further submitted that the matter may be remitted back to the trial Court to facilitate the petitioners to file counter.

Having regard to the facts and circumstances of the case and also in view of the submissions made by both counsels, the orders dated 22.08.2012 in CrI.M.P.No.970 of 2012 in C.C.No.121 of 2010 are hereby set aside and the matter is remitted back to the trial Court. The trial Court is hereby directed to give an opportunity to the petitioners herein to file counter. The trial Court is further directed to dispose of the matter in accordance with law after affording opportunity to both parties.

With the above observation, the Criminal Revision Case is

allowed. Consequently, the miscellaneous petitions, pending if
any in this revision, shall stand closed.

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T.SUNIL CHOWDARY, J.

June 17, 2016

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