

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.921 OF 2016

ORDER:

This Criminal Revision Case is preferred challenging the order, dated 16.2.2016, in CrI.M.P.No.72 of 2016 in S.S.C.No.16 of 2009 on the file of the Special Sessions Judge for SC/ST (POA) Act Cases – cum – VII Additional District and Sessions Judge, Warangal wherein the petition filed by the petitioner herein/accused under Section 231(2) Cr.P.C. praying the Court below to defer the cross examination of P.W.1 till completion of the chief examination of L.Ws.2 and 3, was dismissed.

2. The allegation against the petitioner is that he subjected the *de facto* complainant, his father and younger brother to harassment. Sessions Case No.16 of 2009 emanated from a private complaint. The *de facto* complainant, who is shown as L.W.1 in the complaint, was examined as P.W.1 in chief before the Court below and at stage, the petitioner filed the aforementioned application to defer the cross examination of P.W.1 till completion of the chief examination of L.Ws.2 and 3, who are his father and younger brother respectively, and the same was dismissed. Challenging the same, the petitioner filed the present Revision Case.

3. Heard and perused the material available on record.

4. Even though the impugned order was passed in accordance with law, taking into consideration of the fact that one more opportunity should be given to the petitioner, this Criminal Revision Case is disposed of with the following directions:

The order, dated 16.2.2016, in CrI.M.P.No.72 of 2016 in S.S.C.No.16 of 2009 on the file of the Special Sessions Judge for SC/ST (POA) Act Cases – cum – VII Additional District and Sessions

Judge, Warangal is hereby set aside permitting the petitioner herein to cross examine P.Ws.1 to 3 on the same day fixed by the trial Court. The prosecution also should produce all the witnesses on the same day fixed by the trial Court.

5. Miscellaneous petitions pending, if any, in this Criminal Revision Case shall stand closed.

JUSTICE RAJA ELANGO

4.7.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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Date: 4.7.2016

AMD