

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2337 OF 2014

ORDER:

This Criminal Revision Case is filed by the petitioner/A.19 under Sections 397 and 401 Cr.P.C. challenging the order, dated 31.10.2014, in CrI.M.P.No.852 of 2014 in C.C.No.56 of 2010 on the file of Special Judge for C.B.I Cases, Visakhapatnam.

2. The petitioner herein filed the aforesaid CrI.M.P. under Section 239 Cr.P.C. for discharge. The Court below after considering the material on record, dismissed the petition. Challenging the same, the petitioner filed the present revision case.

3. The petitioner was charged for the offences punishable under Sections 120-B, 420, 467, 468 and 471 IPC and section 13 (2) read with 13 (1) (d) of the Prevention of Corruption Act, 1988.

4. The main contention of learned counsel for the petitioner is that even though nothing is stated against the petitioner/A.19 in the charge sheet, the trial Court erroneously dismissed the application filed by the petitioner and hence, prayed to set aside the impugned order.

5. This Court perused the record and heard the arguments.

6. This Court is of the view that nothing is stated against the petitioner in the charge sheet itself is not a ground to discharge the petitioner from the offences alleged against him. Normally, the charge sheet contains only gist of the case after investigation by the Investigation Officer. Therefore, the Court below rightly

dismissed the petition and there are no grounds to interfere with the same.

7. Accordingly, the Criminal Revision Case is dismissed. However, liberty is given to the petitioner to raise all the points at the time of trial. Considering the facts and circumstances of the case, the presence of the petitioner/A.19 before the Court below is dispensed with on each and every adjournment, except on the date of framing of charges, 313 examination and pronouncement of judgment. It is also made clear that the Court below is directed to dispose of C.C. at the earliest. Miscellaneous petitions, if any, pending in this revision case shall stand closed.

13.10.2016
YVL



JUSTICE RAJA ELANGO

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Date:13.10.2016

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