

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE No.706 of 2017

ORDER :

The accused in C.C.No.65 of 2016, impugning the dismissal order dated 10.03.2017 in CrI.MP.No.421 of 2017, maintained the revision, which was an application under Section 311 Cr.P.C. seeking to reopen the evidence of complainant by recalling PW.1, for further examination.

2. Heard both sides.

3. A perusal of the impugned order clearly shows earlier an application for recall of PW.1, after 313 Cr.P.C. examination was allowed on 09.12.2016 in CrI.M.P.No.2669 of 2016, subject to condition of costs of Rs.500/- and to complete the cross examination of PW.1 on 23.12.2016, failing which the petition stands be dismissed. However, it was not complied with, for the absence of PW.1 and the matter was posted to 05.01.2017. On that day, the accused was not ready and the matter again adjourned for cross examination of PW.1 on 17.01.2017 and thereafter shows three adjournments granted and ultimately posted to 09.02.2017. On that day, even PW.1 present, the accused

did not come forward to cross examine and it was dismissed there from.

4. Having regard to the above, there are no grounds to consider another petition for recall of PW.1 for cross examination. Hence, the impugned order no way requires interference.

5. Accordingly, the Criminal Revision Case is dismissed.

6. Miscellaneous petitions, pending if any, shall stand closed.

Date:27-03-2017
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Dr. B. SIVA SANKARA RAO, J



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