

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.2276 of 2017

ORDER:

The request in paragraph '4' of the present petition filed under Section 482 of the Code of Criminal Procedure, 1973, reads thus:

“For the reasons stated in the accompanying grounds, it is therefore prayed that this Hon'ble Court may be pleased to direct the court below i.e., VI Special Magistrate Court at Visakhapatnam to conduct the proceedings in CC.No.324/2015 along with other connected matters between the same parties and same subject matter in CC.Nos.277/15, 281/15, 326/15, 353/15 and 354/2015 on the file of VI Special Magistrate Court at Visakhapatnam for passing orders in common in the interests of justice and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case”.

In regard to the aforesaid request, Sri R.Siva Sai Swaroop, learned counsel for the petitioner, would submit that the petition sought to be filed by the petitioner in C.C.No.324 of 2015 with a similar request is not even received by the learned VI Special Magistrate, Visakhapatnam, and the same was returned on the Bench while adjourning C.C.No.324 of 2015.

If what has been stated by the learned counsel for the petitioner is true, then it is to be observed that the learned Magistrate has to receive the petition stated to have been filed by the petitioner and dispose of the

same in accordance with law, but cannot return it without making an endorsement on it.

The Criminal Petition is accordingly disposed of directing the learned Magistrate to follow the procedure as per the Criminal Rules of Practice.

Miscellaneous applications, if any, pending in the present petition stand closed.

20.03.2017
v v

JUSTICE A.SHANKAR NARAYANA

