

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CrI.R.C.No.979 of 2005

JUDGMENT:

This petition is filed under Section 397 and 401 of Cr.P.C assailing the order dated 15.04.2005 in CrI.M.P.No.441 of 2005 in C.C.No.308 of 2002 passed by the Judicial Magistrate of First Class, Chinthalapudi allowing the petition filed under Section 311 Cr.P.C for recall of PWs.1 and 2 for cross examination by the petitioner before the trial Court and respondent herein.

The order passed under Section 311 Cr.P.C. is purely interlocutory in nature and such order is not maintainable in revision under Section 397 and 401 Cr.P.C. in view of law declared by the Apex Court in **SETHURAMAN v. RAJAMANICKAM**¹ . Applying the said principle, this revision case is liable to be dismissed.

Accordingly, the Criminal Revision Case is dismissed.

Miscellaneous petitions, if any, pending in the criminal revision case, shall stand closed.

M. SATYANARAYANA MURTHY J

Date: 03.08.2017
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¹ 2009 CrI.L.J. 2247