

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CRIMINAL PETITION No.8185 of 2017

ORDER:

Assailing the order dated 17.08.2017 passed in CrI.M.P.No.251 of 2017 in C.C.No.298 of 2015 by the Judicial Magistrate of First Class at Chevella, Ranga Reddy District, wherein the application filed by the respondent-State under Sections 242 and 294 of the Code of Criminal Procedure to receive the documents was allowed, the present petition came to be filed.

Heard the learned counsel for the petitioner-A.1 and the learned Additional Public Prosecutor.

The contention of the learned counsel for the petitioner is that the documents, which are now sought to be received, were referred to in the charge sheet, but the same were not filed along with charge sheet. As such, the trial Court erred in allowing the impugned application.

Per contra, the learned APP submits that even the trial Court, while allowing their request, has observed that mere receiving of documents would not cause any prejudice and that the accused would be entitled to raise questions relating to admissibility of the said documents.

Having regard to the rival submissions made, if the Prosecution intends to make use of the said documents, the petitioner is at liberty to raise objections with regard to the reliability and admissibility of the same, in which event, the same shall be dealt with by the trial Court independently.

Accordingly, the Criminal Petition is disposed of

Miscellaneous petitions pending in this petition, if any, shall also stand closed.

C.PRAVEEN KUMAR, J

18.09.2017
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