

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL REVISION CASE No.21 of 2014

ORDER:

Sri N. Harinadh, learned counsel for Sri E. Venkata Reddy, learned counsel for the petitioners – accused Nos.2 to 4, seeks adjournment on the ground that today his Senior Counsel has not attended the court due to some personal inconvenience.

Heard the learned Additional Public Prosecutor for the State of Telangana appearing for the respondents.

A short order passed on 19.09.2013 by the learned I-Additional Judicial First Class Magistrate, Warangal, in C.C.No.320 of 2009, is under challenge in the present Criminal Revision Case. By the said order, the learned Magistrate permitted the documents, which were received vide orders in CrI.M.P.No.3084 of 2011, to be marked subject to objection. In the said Calender Case, Accused Nos.1 to 4 were alleged to have committed the offences punishable under Sections 420 and 506 IPC, whereas Accused No.5 was alleged to have committed the offences punishable under Sections 447 and 506 IPC. Aggrieved by the said order, Accused Nos.2 to 4 have filed the present revision case.

It appears, accused Nos.1 and 5 have no grievance against the order under challenge. In the order under challenge, the learned Magistrate observed that the Calender Case is an old case pending since 2009 and coming up for further chief examination of PW.1 and, thereby,

permitted the documents to be marked subject to objection and posted the matter to 23.09.2013.

The revision petitioners – accused Nos.2 to 4, in fact, obtained stay on 22.01.2014 and, since then, the proceedings in the Calender Case have been stalled. The proceedings in the Calender Case have been stalled for more than 3 ½ years by now. There is no justification in further stalling the proceedings. The order under challenge clearly shows that the right of the accused to agitate their defence, now raised, is reserved observing that the same shall be considered at the time of final hearing in the Calender Case. There is absolutely no legal infirmity in the order under challenge, which clearly exhibits that the documents would be marked subject to objection by the defence. There is no merit in the present revision.

The Criminal Revision Case is, accordingly, dismissed. However, the learned I-Additional Judicial First Class Magistrate, Warangal, is directed to dispose of Calender Case No.320 of 2009 as expeditiously as possible, not later than six months from the date of receipt of a copy of the order. The petitioners and accused persons are directed to co-operate with the Court below to enable the Court to comply with the direction given by this Court in the present revision case.

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

JUSTICE A.SHANKAR NARAYANA

07.11.2017

v v