

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.10217 OF 2017

ORDER:

This criminal petition is filed under Section 482 of Criminal Procedure Code challenging the order dated 13.10.2017 passed in CrI.M.P.No.2331 of 2017 in C.C.No.1288 of 2010 on the file of II Additional Judicial First Class Magistrate, Eluru, West Godavari District, wherein, the Court below dismissed a petition filed under Section 70(2) Cr.P.C on various grounds.

Learned counsel for the petitioner, requested this Court to issue a direction to the Court below to fix a date for appearance of the petitioner and decide the application, if any filed under Section 70(2) Cr.P.C, without touching the merits of the case.

Therefore, acceding to the request of the learned counsel for the petitioner, without touching the merits of the case, I deem it appropriate to direct the II Additional Judicial First Class Magistrate, Eluru, West Godavari to dispose of the application filed by the petitioner on the same day, if any, in accordance with law, after issuing notice to the respondent(s).

With the above direction, the petition is disposed of, without touching the merits of the case. No costs.

Consequently, miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date:03.11.2017

SP