

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**CRIMINAL PETITION NO.10859 OF 2017****ORDER:**

This criminal petition is filed under Section 482 of Criminal Procedure Code (for short "Cr.P.C.") challenging the Order dt.16.10.2017 in CrI.M.P.No.1637 of 2017 in CC No.146 of 2016 passed by II Special Magistrate, Hasthinapuram, R.R. District, dismissing the application filed under Section 45 of the Indian Evidence Act on the ground that the date and other details were not furnished in the petition.

Now, the petitioner challenged the Order dt. 16.10.2017 on various grounds. After submitting the arguments for awhile, the learned counsel for the petitioner requested this Court to permit the petitioner to file afresh application before II Special Magistrate, Hasthinapuram, R.R. District.

In view of the request made by the learned counsel for the petitioner, the petitioner is permitted to file appropriate application seeking relief of sending the disputed document along with any other document bearing the admitted signature or writing to the expert, for opinion under appropriate provision of law and on filing such application, the Magistrate is directed to dispose of the application in accordance with law notwithstanding the Order passed earlier in CrI.M.P.No.1637 of 2017.

With the above direction, this Criminal Petition is disposed of.

Consequently, miscellaneous applications pending if any,
shall stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Dt. 16.11.2017
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