

SMT JUSTICE T.RAJANI

CRIMINAL APPEAL No.377 OF 2018

JUDGMENT:

This appeal is preferred against the docket order dated 09.01.2018 passed by the Court of XXIII Special Magistrate, Hyderabad in C.C.No.243/2017 by virtue of which, the complaint was dismissed on the ground that the complainant was absent and there is no representation from 10.30 A.M.to 1.30 P.M.

2. However, this Court is of the opinion that, it would be better for any case to be decided on merits and, the complainant cannot be told off at the threshold itself. Hence, this Court is inclined to grant another opportunity to the complainant, to prosecute his case.

3. Accordingly, the Criminal Appeal is allowed by setting-aside the impugned docket order dated 9th January, 2018 in C.C.No.243 of 2017. However, the complainant shall abide by the direction that would be imposed by the Court below, after receiving the record; failing which, the impugned docket order would stand confirmed.

4. As a sequel, the miscellaneous applications, if any pending, shall stand closed.

T. RAJANI, J

Date: 06.02.2018.

JR

