

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL REVISION CASE NO.603 OF 2018

ORDER:

This revision is filed by the petitioner-A1 under Sections 397 and 401 Cr.P.C. challenging the order, dated 09.02.2018 in CrI.M.P.No.336 of 2016 in CrI.A.No.199 of 2014 on the file of the VII Additional District & Sessions Judge, Prakasam District at Ongole, wherein the application filed to receive the documents 1 to 3 and mark them as exhibits, was dismissed.

2. Heard learned counsel for the petitioner-A1, learned Assistant Public Prosecutor representing the respondent-State and perused the record.

3. Learned counsel for the petitioner-A1 would submit that the record from the Electricity Department is essential to determine the above Criminal Appeal. The petitioner is required to be given an opportunity to put forth his defence. The Court below erred in passing the impugned order and ultimately, prayed to set aside the same.

4. On the other hand, learned Assistant Public Prosecutor opposed the relief sought for by the petitioner in the revision.

5. As seen from the order, the petitioner was not ready to proceed with the case. The petitioner has not chosen to file application before the Court below at earlier point of time. The Court below passed the order giving number of reasons and relying on number of decisions. The petitioner was not ready to argue the appeal, along with the

petition, before appellate Court. When the petitioner was examined under Section 313 Cr.P.C., he did not speak about the subject documents. Under these circumstances, there is no mis-carriage of justice. The revision is devoid of merit and is liable to be dismissed.

6. Accordingly, the Criminal Revision Case is dismissed. Miscellaneous petitions, if any pending in this revision shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 10-04-2018

Hsd

