

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No. 3570 OF 2018

ORDER:

This petition is filed under Section 482 of the Code of Criminal Procedure by the petitioner/A.1 aggrieved by the order, dated 20.03.2018 in CrI.M.P.No.1019 of 2018 in C.C.No.649 of 2012 on the file of the learned XI Additional Chief Metropolitan Magistrate, Secunderabad, rejecting the petition filed by the petitioner/A.1 under Section 254 (2) of Cr.P.C., to issue summons to the Advocate Commissioner, Sri A.G.Arvind Reddy, to produce documents and give evidence.

Heard learned counsel for the petitioner Sri T.Pradyumna Kumar Reddy and learned Additional Public Prosecutor.

The submission of the learned counsel for the petitioner is that in I.A.No.1545 of 2009 in O.S.No.517 of 2009, the learned III Senior Civil Judge, City Civil Court, Secunderabad, appointed the learned Advocate Commissioner to visit the premises of plaintiff's Club, namely, M/s.G.V.R.Family Club, Boyenpally and observe the activities conducted by the said Club and submit reports. Learned counsel further submits that the present case is one under A.P.Gaming Act pertaining to M/s.G.V.R.Family Club and therefore, the reports submitted by the learned Advocate Commissioner are very much important to prove the defence of the accused in the said case.

A perusal of the impugned order would show that the said petition is dismissed mainly on the observation that the Court did not find it fit to issue summons and that the matter was of the year 2012 and at that stage, summoning the learned Advocate Commissioner was unwarranted. The grounds submitted by the learned Judge are not convincing to accede. As per the submission of the learned counsel for the petitioner, the Club activities are going on legally and the said fact would be evident from the reports submitted

by the learned Advocate Commissioner from time to time and therefore, summoning of the learned Advocate Commissioner to produce the reports would vindicate the stand of the petitioner/A.1. In that view of the matter, the impugned order is set aside and the learned XI Additional Chief Metropolitan Magistrate, Secunderabad, is directed to summon the learned Advocate Commissioner Sri A.G.Arvind Reddy to produce the copies of his reports before him and give evidence.

The criminal petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, shall stand disposed of.

27.03.2018
pln



U.DURGA PRASAD RAO, J