

HON'BLE SRI JUSTICE P. KESHA RAO

CRIMINAL REVISION CASE No.1735 of 2017

ORDER:

Heard the counsel for the petitioners and the learned Public Prosecutor appearing for the respondent-State.

The present revision case is filed questioning the orders dated 31.01.2018 passed in CrI.M.P.No.5439 of 2017 in C.C.No. 1809 of 2015 on the file of the Court of the IV Additional Chief Metropolitan Magistrate-cum-Additional Mahila Magistrate, Vijayawada, allowing CrI.M.P.No.5439 of 2017 whereby arraying the petitioners as A-2 to A-7 in the above said calendar case.

The facts of the case are that the originally on 10.03.2012 the de facto complainant filed a report leading to registration of Crime No.115 of 2012 for the offence under Section 498-A IPC. After investigation, charge sheet was filed against A-1 alone and A-2 to A-7 were deleted. The Court below, after taking cognizance of the offence against A-1, numbered the case as C.C.No.1809 of 2015. During the course of trial, PWs.1 and 2 are examined on behalf of the prosecution. At that stage, the prosecution filed a petition in CrI.M.P.No.5439 of 2017 under Section 319 Cr.P.C. to implead the petitioners as A-2 to A-7 since a prima facie case is made out from the perusal of the evidence of PWs.1 and 2. The petitioners contested the same. After hearing, the said petition was allowed on 31.01.2018. Aggrieved by the same, the present criminal revision case is filed.

The learned counsel after arguing the matter for some time, sought permission of this Court to withdraw the revision case with

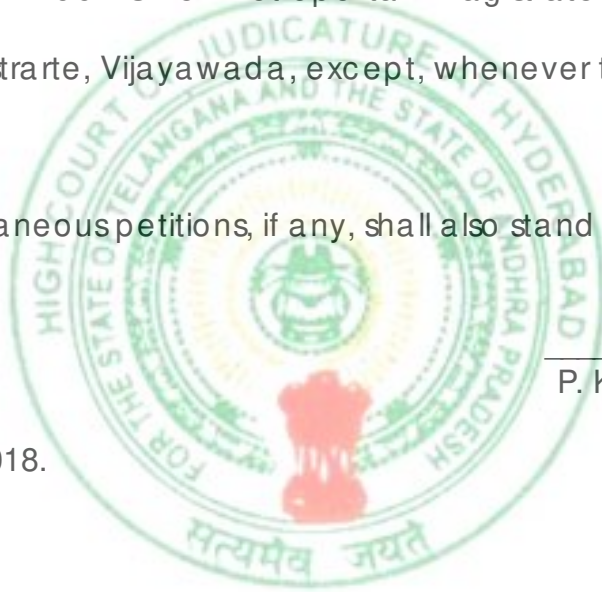
liberty to raise all the grounds available to them including the grounds raised in the present revision case before the Court below and after giving such opportunity, the learned magistrate may be directed to consider the same and pass orders.

In the light of the said submission, the criminal revision case is dismissed. However, the petitioners are given liberty to raise all the grounds and the learned magistrate is directed to consider the same. Further, the presence of the petitioners 1 to 6 is dispensed with during the course of trial in C.C.No.1809 of 2015 on the file of the learned IV Addl. Chief Metropolitan Magistrate-cum-Additional Mahila Magistrate, Vijayawada, except, whenever their presence is required.

Miscellaneous petitions, if any, shall also stand dismissed.

Date:25.07.2018.
CCM

P. KESHAVA RAO, J



HONOURABLE SRI JUSTICE P. KESHA VA RAO



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