

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.7704 OF 2018

ORDER:

This petition is filed, under Section 482 Cr.P.C., to quash the docket order, dated 19.07.2018, passed by the VI Additional District and Sessions Judge, Markapur, treating the oral arguments of the petitioners as NIL and posting the sessions case for judgment to 27.07.2018 giving liberty to file written arguments, if any, on or before 23.07.2018.

2. It is the case of the petitioners that the impugned order was passed during call work by the learned Sessions Judge even without waiting for the counsel, who was engaged in other court and, therefore, the order passed by the court depriving these petitioners of the oral arguments before the Sessions Court is an illegality.

3. During the hearing, Sri V.R.Avula, learned counsel for the petitioners, reiterated the same, whereas the Public Prosecutor fairly conceded that he has no objection if on a specific date the arguments are advanced.

4. In view of the submission of the learned Public Prosecutor, the impugned order is set aside enabling the counsel for the petitioners to advance his oral argument on 26.07.2018, failing which the learned VI Additional District and Sessions Judge, Markapur, is at liberty to decide the case based on the material available on record and written augment, if any filed.

5. Accordingly, the Criminal Petition is allowed and the docket order, dated 19.07.2018, passed by the VI Additional District and Sessions Judge, Markapur, is set aside while permitting the counsel for the petitioners to advance his oral argument on 26.07.2018, failing which the learned VI Additional District and Sessions Judge, Markapur, is at liberty to decide the case based on the material available on record and written augments, if any filed.

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

JUSTICE M.SATYANARAYANA MURTHY

July 24, 2018

Note:-

Furnish copy today.

{ B/o }
LMV

