

SMT JUSTICE T.RAJANI

CRIMINAL PETITION Nos.13846 & 13847 OF 2011

COMMON ORDER:

1. These two Criminal Petitions, under section 482 of Cr.P.C., are separately filed by the self same Petitioner/Accused seeking to quash the orders, dated 01.12.2011, passed in CrI.M.P. Nos.3467 and 3446 of 2011 in C.C. No.75 of 2011, on the file of the Court of Judicial First Class Magistrate, Tuni, East Godavari District (for short, 'the trial Court'); by virtue of which, the trial Court dismissed both the Petitions, which were filed under Sections 311 and 254(2) of Cr.P.C. respectively to reopen the defence evidence and to summon the Branch Manager, ICICI Bank Limited, Main Branch, Visakhapatnam.

2. Heard learned counsel for the petitioner, learned counsel for the 1st respondent – *de-facto* complainant, and learned Public Prosecutor appearing for the 2nd respondent – State.

3. A perusal of the impugned orders, which are filed to prove that certain deposits were made by the accused in the account of the complainant, shows that the trial Court by considering that Rs.29,000/- was deposited by the accused in the account of the complainant, and that the same was categorically admitted by P.W.1 in his cross-examination, did not find the necessity to reopen the evidence and summon the Branch Manager, ICICI Bank, Main Branch, Visakhapatnam, dismissed the Petitions. It was also noted that though number of opportunities were given to the petitioner to produce his defence evidence, he did not avail the same.

4. Hence, this Court does not find any reason to interfere with the impugned orders. Accordingly, both the Criminal Petitions are dismissed.

5. As a sequel, miscellaneous petitions, if any, pending in these Criminal Petitions shall stand dismissed.

T. RAJANI, J

Date: 29.11.2018.
Dsh



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DSH