

HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

CRIMINAL REVISION CASE No.2588 of 2018

ORDER :

This Criminal Revision Case is arising out of the order dated 01.09.2018 in CrI.MP.No.1395 of 2018 in C.C.No.200 of 2015 passed by the learned II Additional Junior Civil Judge-cum-XX Metropolitan Magistrate, Cyberabad at Malkajgiri.

Heard learned counsel for the petitioner/A.3 and the learned Additional Public Prosecutor. Perused the material on record.

Originally, CrI.MP.No.1395 of 2018 in C.C.No.200 of 2015 filed under Section 311 of Cr.P.C., by the petitioner/A.3 seeking to reopen and recall the evidence of PWs.1 to 3 for further cross-examination was dismissed by the Court below. Aggrieved by the same, the petitioner has filed the present revision.

As per the provision under Section 397(2) of Cr.P.C., interlocutory orders are not revisable and, therefore, the petitioner cannot seek the remedy of revision in this case. Therefore, the petitioner may avail appropriate legal remedy available to him under law.

Accordingly, this Criminal Revision Case is dismissed, giving liberty to the petitioner/A.3 to avail appropriate legal remedy available to him under law.

Interim stay granted by this Court on 27.09.2018 in I.A.No.1 of 2018 is vacated. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Registry is directed to return the original record, including the original judgment under revision to the learned counsel for the petitioner today itself.

15.11.2018

NOTE: Issue C.C. today.
(B/O)
Msr

GUDISEVA SHYAM PRASAD, J



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