

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.4722 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/*de facto* complainant to quash the order dated 31.03.2018 in CrI.M.P.No.843 of 2018 in C.C.No.390 of 2015 on the file of the XIV Metropolitan Magistrate, Cyberabad at L.B. Nagar.

2. Heard. Perused the record.

3. The said CrI.M.P.No.843 of 2018 was filed under Section 205 Cr.P.C. before the Court below to allow the accused to be represented by an Advocate. However, the Court below was pleased to allow the said application and grant permission to the accused to be represented by an Advocate. The Court below also permitted the accused to leave the country. Without there being a request in the prayer of the petition to permit the accused to leave the country, the Court below was pleased to grant such a relief. This is not in consonance with the prayer of the petition.

4. Under these circumstances, the impugned order, dated 31.03.2018 in CrI.M.P.No.843 of 2018 in C.C.No.390 of 2015 on the file of the XIV Metropolitan Magistrate, Cyberabad at L.B. Nagar, is set aside and the matter is remitted to the Court below. The Court below is directed to dispose of the said petition in accordance with law.

5. With the above direction, the Criminal Petition is disposed of.

Pending miscellaneous petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

Date: 01.04.2019.
ssp

