

THE HONOURABLE JUSTICE G. SRI DEVI  
CRIMINAL REVISION CASE No.241 of 2020

ORDER:

This Criminal Revision Case is filed challenging the order dated 04.02.2020 passed by the learned XV Additional District Judge-cum-XV Metropolitan Sessions Judge-cum-II Additional Family Judge, Kukatpally, Ranga Reddy District, whereby and whereunder Criminal Appeal No.137 of 2019 filed by the appellant was dismissed.

2. Since the appeal was dismissed by the appellate Court at the admission stage, no prejudice would be caused even if the respondents herein are not put on notice in this Criminal Revision Case. Hence, issuance of notice to the respondents is dispensed with.

3. Learned counsel for the revision petitioner submitted that the appellate Court failed to note that process has already been deposited by the appellant for issuing notice to the accused on 26.11.2019, vide S.R.No.2709 of 2019 and hence, prayed to set aside the impugned order.

4. A bare perusal of the impugned order shows that the said appeal was dismissed by the Court below on the ground that process was not deposited and the appellant called absent and there was no representation on his behalf. The appellate Court erred in not taking note of the fact that process was already deposited by the appellant on 26.11.2019 and without properly verifying the record, it has dismissed the Criminal Appeal. Hence, this Court is of the opinion that the appellate court committed irregularity and

illegality in passing the impugned order and hence, the same is liable to be set aside.

5. The Criminal Revision Case is accordingly allowed and the order dated 04.02.2020 passed in Criminal Appeal No.137 of 2019 on the file of the learned XV Additional District Judge-cum-XV Metropolitan Sessions Judge-cum-II Additional Family Judge, Kukatpally, Ranga Reddy District, is set aside and the said Criminal Appeal is restored to file. The revision petitioner/appellant is directed to appear before the said court on 10.3.2020 positively and report that the directions of the Court to deposit the process has been complied with by him.

6. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

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*JUSTICE G.SRI DEVI*

*26<sup>th</sup> February, 2020*

*Note:*

*Issue CC in two days.*

*B/o*

*dr*