

THE HONOURABLE DR. JUSTICE D.NAGARJUN

CRIMINAL REVISION CASE No.133 of 2022

ORDER:

This Criminal Revision Case is filed aggrieved by the docket order dated 24.12.2021 in S.C.No.649 of 2015 in Cr. No.485 of 2014 on the file of the learned Metropolitan Sessions Judge, Cyderabad, Ranga Reddy District, wherein the trial Court has passed the following order:

“Accused is present. The learned counsel for the accused brought notice to the court that the preliminary medical examination of the board issued by PW7 is not furnished to the accused, when the accused obtained certified copy of Ex.P7. The preliminary medical examination report is available on record but not in complete form. Some pages appear to be missing. Public Prosecutor seeks time to take steps to bring the said preliminary examination report on record and furnish copy of the same to the accused. Call on 29-12-2021.”

02. Sri Mohd Faseeuddin, learned counsel for the petitioner as well as Sri S.Ganesh, learned Assistant Public Prosecutor for respondent/State are present.

03. It is submitted by the learned counsel for the petitioner that Ex P7 is the preliminary medical examination report is being accepted by the trial Court to be marked

without any enclosures which are supposed to have been filed along with the report. Learned Assistant Public Prosecutor for respondent / State requested time to take steps to file the missing papers of Ex.P7 and under the garb of that orders the Prosecutor has filed said document which are subsequently marked as Ex.P11 and P12.

04. Learned counsel for the petitioner submits that this trial Court should not have permitted the prosecution to mark ExP11 and P12, even though the papers in enclosures in Ex.P7 are missing.

05. However, as seen from the record, the petitioner has not challenged the orders which are passed by the trial Court, permitting the prosecution to file Exs.P11 and P12 and marking them without questioning the permission granted by the Court to file Exs.P11 and P12, the petitioner cannot question subsequent proceedings.

06. Considering the circumstances, this Criminal Revision Case is dismissed. However, the petitioner is at liberty to challenge the proceedings of trial Court in

permitting the prosecution to file and mark Ex.P11 and P12,
if he desires so.

As a sequel, pending Miscellaneous Applications, if any,
shall stand closed.

Date: 27-Dec-2022
TMK

DR. D.NAGARJUN, J

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