

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY ,THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

CRIMINAL REVISION CASE NO: 163 OF 2012

Criminal Revision Case filed under Section 397 and 401 of CrPC aggrieved by the Docket Order dt.15-11-2011 in CC.No.2605 of 2005 on the file of the IX Addl. Chief M.M., Hyderabad.)

Between:

G. Bhaskara Rao, S/o Punnaiah, (Late), Social Service, R/o 19-321, Vidya Nagar, Hyderabad.

...PETITIONER/Complainant

AND

1. The State of Andhra Pradesh, Rep. By its Public Prosecutor, High Court of A.P., at Hyderabad.

....Respondent/Respondent.

2. Smt. Veerapaneni Balaji, W/o Venkataratnam, Business, R/o At 2-3-62, Ambarpet, Hyderabad, Now R/o at R/o 3-6-597, Plot No.201, Eternal Narasa Reddy Enclave, Street No.8, Himayath Nagar, Hyderabad.
3. Smt. U.Padmavathi,, W/o. Subhash Chandra Bose, Business, R/o Plot No.90 Aleap Industrial Estate, Gajularamaram, Ranga Reddy District.

...RESPONDENTS/Accused

I.A. NO: 1 OF 2012(CRLRCMP. NO: 261 OF 2012)

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in CC.No.2605 of 2005 on the file of the IX Addl. Chief Metropolitan Magistrate, Hyderabad, pending disposal of above Crl.R.C.

Counsel for the Petitioner(s):SRI. NARASIMHA RAO M R L, Advocate (Not Present)

Counsel for the Respondents: Sri. Vizarith Ali Assistant Public Prosecutor

The Court made the following **ORDER:**

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL**CRIMINAL REVISION CASE No.163 OF 2012****ORDER:**

The present Criminal Revision Case is filed by the petitioner/complainant to set aside the docket order dated 15.11.2011 in C.C.No.2605 of 2005 on the file IX Additional Chief Metropolitan Magistrate, Hyderabad.

2. None appeared for the petitioner/complainant. Heard Mr. Vizarith Ali, learned Assistant Public Prosecutor appearing for the respondent State.

3. Brief facts of the case are that the Court below passed docket order dated 15.11.2011 in C.C.No.2605 of 2005 stating that complainant absent. No representation. A1 absent summons pending. A2 absent, petition allowed. Complainant did not file process for summons to A1. Case is of 2005. It appears complainant has no interest in serving summons to A1. Hence, complaint against A1 is dismissed u/s 204 of Cr.P.C. Call on 16.12.2011. Aggrieved by the said docket order, the present Criminal Revision Case is filed to set aside the docket order.

4. None appeared for the petitioner. On the other hand, Mr. Vizarath Ali, learned Assistant Public Prosecutor appearing for the respondent State would submit that the present petition before this Court is not maintainable as it has been covered by the order dated 27.04.2022 in Criminal Revision Case (SR) No.3198 of 2022, wherein it has been held that a Revision Application is not maintainable against interlocutory order in the light of Section 397 (2) of Cr.P.C.

5. A perusal of the record shows that the Criminal Revision Case pertains to the year 2012. There was no representation on behalf of Complainant. A1 called absent summons pending. He did not file process for issuing summons to A1. The case is of the year 2005 and he did not evince any interest in serving summons to A1. Hence, the complaint against A1 is dismissed under Section 204 Cr.P.C by the trial court. The steps taken by the trial court is appropriate and docket order needs no interference.

6. In view of the above submission made by the learned Assistant Public Prosecutor, this Court is not inclined to entertain the Criminal Revision Case at this stage. Accordingly, the Criminal Revision Case is dismissed.

Miscellaneous Petitions, pending if any, shall stand closed.

SD/- I. NAGA LAKSHMI
DEPUTY REGISTRAR

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SECTION OFFICER

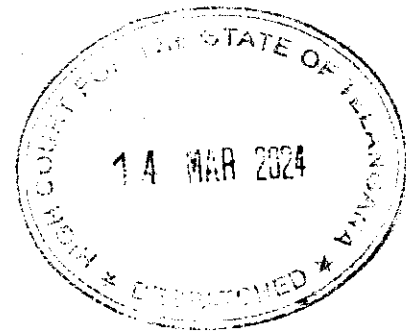
To,

1. The IX Addl. Chief Metropolitan Magistrate, Hyderabad.
2. One CC to SRI. NARASIMHA RAO M R L Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of the State of Telangana at Hyderabad (OUT).
4. Two CD copies.

N. J.

HIGH COURT

DATED:14/09/2023



ORDER

CRLRC.No.163 of 2012

CrI.R.C. is Dismissed.

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