

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1425 OF 2015

ORDER:

The petitioner has preferred the present criminal revision case by invoking the provision under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the order dated 21.07.2015 passed in CrI.M.P.No.288 of 2015 in Criminal Appeal No.566 of 2015, by the Court of the III Additional District and Sessions Judge, Ranga Reddy District, at L.B.Nagar, whereby the learned Judge suspended the operation of sentence passed by the trial Court till disposal of the appeal on petitioner depositing one-fourth of the compensation amount.

Heard and perused the material available on record.

This Court is of the view that when once the lower appellate Court intends to hear the appeal after admitting the same, the impugned order directing the petitioner to deposit one-fourth of the compensation amount as ordered by the trial Court is not proper, and further, keeping the said deposit amount till the disposal of the appeal is also not permissible. Hence, the impugned order is set aside and the lower appellate Court is directed to proceed with the trial and pass appropriate orders in accordance with law.

The criminal revision case is accordingly disposed of. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

24.08.2015

pln