

HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRL.R.C.No.2277 of 2013

ORDER:

This Criminal Revision Case is filed questioning the correctness of the order of the learned I-Additional Sessions Judge, Kurnool, dated 26.07.2013 passed in CrI.M.P.No.404 of 2012 in S.C.No.361 of 2011.

The revision petitioner is Accused No.5 in the aforesaid S.C.No.361 of 2011. When the matter is coming up for framing of charges, the revision petitioner filed the aforesaid CrI.M.P.No.404 of 2012 under Section 227 Cr.P.C. seeking to discharge him from the offences alleged against him on the ground that he is in no way concerned with the case as his name is not found in the F.I.R. However, the Court below by order dated 26.07.2013 dismissed the said petition holding that there is sufficient material to proceed against the revision petitioner-A5.

A perusal of the allegations in the charge sheet and other material on record would clearly reveal a *prima facie* case against the petitioner-A5 along with other accused for the offences punishable under Sections 302, 307, 120B read with Section 34 I.P.C.

Learned Public Prosecutor representing the State submitted that in the aforesaid Sessions Case, the trial was commenced and as many as 17 witnesses were examined on behalf of the prosecution and the Sessions Case is coming up for further evidence on 16.09.2015.

Having heard the learned Counsel appearing on either side and upon perusing the entire material available on record, this

Court is of the considered view that the impugned order does not suffer from any illegality or infirmity which calls for interference by this Court.

Accordingly, the Criminal Revision Case is dismissed.

Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.JAISWAL,
J

10-09-2015

Gsn