

THE HON'BLE SRI JUSTICE RAJA ELANGO

CrI.R.C.No.113 of 2016

ORDER

The present criminal revision case is directed against committal order dated 17.09.2014 passed in P.R.C.No.19 of 2014 by the learned Judicial Magistrate of First Class, Razole.

2. The petitioner/accused is involved in Cr.No.4 of 2014 of Malkipuram Police Station, registered for the offences punishable under Sections 341, 323 and 506(2) IPC. After completion of investigation, the police filed charge sheet and the Court took cognizance against the petitioner/accused for the offences punishable under Sections 307, 341 and 506 (2) IPC. Since the offence under Section 307 IPC is triable by a Court of Sessions, the case was committed to the Court of Sessions by the order impugned. Aggrieved by the same, the petitioner/accused filed the present revision.

3. Heard and perused the material on record.

4. The order impugned shows that after considering the averments in the charge sheet and the material on record, the Court below took cognizance against the petitioner/accused for the offences punishable under Sections 307, 341, 506(2) IPC and thereafter, the case was committed to the Court of Sessions as the offence u/s.307 IPC is exclusively triable by the Court of Sessions. The petitioner has not challenged the cognizance taken by the Court below for the offence punishable under Section 307 IPC and after committal order was passed, the present revision is filed. Therefore, this Court is of the view that the points raised by

the petitioner can be raised by way of filing a discharge application before the Sessions Court and there is no need to interfere with by this Court. On filing such an application, the trial Court shall pass appropriate orders after hearing both sides and if the petitioner is aggrieved by any such order, he is at liberty to approach the appropriate forum in accordance with law.

5. Accordingly, the Criminal Revision Case is disposed of. Miscellaneous Petitions, if any, pending in this revision shall stand closed.

JUSTICE RAJA ELANGO

20th January, 2016

sj