

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Criminal Petition No.1873 of 2017

ORDER:

In this criminal petition, under Section 482 of the Code of Criminal Procedure, 1973, the grievance of the petitioners-accused 8,9 and 15 in PRC.No.154 of 2013 on the file of the Court of the learned XIX Metropolitan Magistrate, Kukatpally of Cyberabad, is with regard to not splitting up of the PRC and not committing the case of the petitioners-accused to the Court of Session in accordance with the procedure established by law inspite of the fact the petitioners-accused are regularly attending before the said Court of the said learned Magistrate while some of the other accused are absconding.

I have heard the learned counsel appearing for the petitioners and the learned Public Prosecutor (TG). I have perused the material record.

Learned counsel for the petitioners would submit that apart from the petitioners herein some other accused are also attending before the Court of the learned Magistrate while the other accused are absconding and that in the said circumstances, CrI.MPSR.No.1683 of 2017 is filed, on 17.02.2017, before the trial Court with a request to split up the PRC and commit the case insofar as the petitioners-accused, who are appearing before the Court of the learned Metropolitan Magistrate, to the Court of Session, as right to speedy trial is now a recognised constitutional and fundamental right.

Having regard to the submissions, this Court is satisfied that the Criminal Petition can be disposed of with appropriate directions.

The Criminal Petition is disposed of accordingly with a direction to the learned XIX Metropolitan Magistrate, Kukatpally of Cyberabad, to dispose of CrI.MPSR.no.1683 of 2017 in PRC.No.154 of 2013 related to Crime No.838 of

2009 of Kukatpally Housing Board Police Station, Cyberabad, Rangareddy District, as expeditiously as possible, however, in strict accordance with the procedure established by law.

JUSTICE M. SEETHARAMA MURTI

03.03.2017
Vjl

