

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Criminal Revision Case No.1483 of 2017

ORDER:

This Criminal Revision Case under Sections 397 and 401 of the Code of Criminal Procedure, 1973, by the petitioner/ A2 in Crime No.366 of 2017 of P.S, Kukatpally, is directed against the order, dated 06.06.2017, passed in Crl.R.P.no.122 of 2017 on the file of the XV Additional District Court-cum-Metropolitan Sessions Court, Ranga Reddy District.

2. I have heard the submissions of *Sri Vedula Venkata Ramana*, learned Senior Counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent-State of Telangana.

3. The petitioner/ A2 is aggrieved of the orders, whereby his custody to police was granted for three days, i.e., from 07.06.2017 (10.30 AM) to 10.06.2017 (10.30 AM) with certain directions to safeguard his interests while in police custody.

4. Learned senior counsel appearing for the petitioner while reiterating the grounds urged in the revision contended forcefully that the order is unsustainable and that the discretion was not judiciously exercised by the Court below and that no case is made out by the prosecution for granting the custody of the petitioner/ A2 to the police for the purpose of interrogation and investigation.

5. Learned Public Prosecutor representing the State of Telangana supported the orders impugned.

6. At the hearing, it is stated that the petitioner/ A2 was already taken into custody by the police concerned and he is presently in police custody.

7. On a plain perusal of the record, this Court is satisfied that at this stage, no grounds exist to interfere with the orders granting police custody. However, it is apt to note that the learned senior counsel, without prejudice to the contentions urged in the revision case, alternatively contended that in view of the fact that the custody of the petitioner/ A2 is already taken by the police, this Court may consider the request for curtailing or limiting the period of custody having regard to the facts and circumstances and the fact that the petitioner/ A2 is age of 59 years and is not keeping good health. He would further submit that the petitioner/ A2 need not be subjected to interrogation by the police while in custody as he is a law abiding citizen and will always cooperate with the police during the course of investigation at any time till the final report is filed.

8. Learned Public Prosecutor would submit that considering the nature of the offences, which are stated to have been committed, and the complexity of the case involving conspiracy, it is necessary to have police custody for a reasonable time for interrogation and eliciting information for making further progress in the investigation.

9. Having regard to the submissions this Court is satisfied that the revision can be disposed of with appropriate directions.

10. In the result, the Criminal Revision Case is disposed of, however, curtailing/limiting the period of police custody of the petitioner/ A2 upto 09.06.2017 at 3 PM. The order of the Court below in all other respects holds good. Accordingly, the police concerned shall handover the custody of the petitioner/ A2 on 09.06.2017 at 4 PM to the Superintendent, Central Prison, Cherlapally, along with his medical certificate and intimate compliance of the same to the learned XV Additional District Judge-cum- Metropolitan Sessions Judge, Ranga Reddy District on the same day before 5 PM.

Miscellaneous petitions, pending if any, in this revision shall stand closed.

M. SEETHARAMA MURTI, J

07th June, 2017

Note:- Issue CC by 08.06.2017
(B/o)
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