

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Criminal Revision Case No.1480 of 2017

ORDER:

This Criminal Revision Case under Sections 397 and 401 of the Code of Criminal Procedure, 1973, by the petitioner/ A6 in Crime No.223 of 2017 of P.S, Balanagar, is directed against the order, dated 06.06.2017, passed in CrI.M.P.No.1548 of 2017 on the file of XXIV Metropolitan Magistrate Court, Cyberabad, Kukatpally, at Miyapur, 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/ A6 is aggrieved of the orders, whereby his custody to police was granted for a period of four days, i.e., from 06.06.2017 to 09.06.2017 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/ A6 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 though the police custody was granted from 06.06.2017, the petitioner/ A6 was taken into custody by the police on 07.06.2017 AN.

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/ A6 is already taken by the police, this Court may consider the request for curtailing the period of custody having regard to the facts and circumstances and the fact that the petitioner/ A6 is only an Advocate and he had only discharged his professional duties and that for discharging his professional duties he cannot 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 charge sheet 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 upto 09.06.2017 at 10.30 AM. The order of the Court below in all other respects holds good. Accordingly, the police concerned shall produce the petitioner/ A6 on 09.06.2017 at 11 AM before the Court of XXIV Metropolitan Magistrate, Cyberabad, Kuktapally at Miyapur, Ranga Reddy District along with his medical certificate.

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
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