

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.620 of 2017

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused, to quash the order, dated 19.01.2017 passed in CrI.M.P.No.47 of 2017 in S.C.No.56 of 2014 by the I Additional Sessions Judge at Karimnagar.

2. Head the learned counsel for the petitioner/accused, learned Public Prosecutor (Telangana) appearing for the 1st respondent-State and perused the record.

3. The learned counsel for the petitioner/accused would submit that the victim girls are from Orissa state. They do not know Hindi, English or Telugu, except Oriya language. A person working as Assistant Manager in Indian Overseas Bank, Karimnagar branch, who knows Oriya language and belong to Orissa, was being ordered to assist the Court. The same is questioned by the petitioner, who is the accused in Sessions Case No. No.56 of 2014 on the file of the I Additional Sessions Judge at Karimnagar, stating that any authorised person working in Government department be called to assist the Court, as required under Section 38 of the Prevention of Children from Sexual Offences Act, 2012.

4. On the other hand, the learned Public Prosecutor, while supporting the impugned order of the Court below, submitted that there is nothing to interfere with the reasoned order passed by the Court below.

5. The point for determination is whether the petitioner is entitled for the relief sought?

6. In the statute, there is no bar to call a person knowing the language of the petitioner/accused and translate the same to the Court as interpreter. There is no justification to believe that the order passed by the Court would cause any prejudice or injustice to the petitioner/accused in any manner. Therefore, no infirmity has been found in the impugned order, dated 19.01.2017, passed in CrI.M.P.No.47 of 2017 in S.C.No.56 of 2014 by the I Additional Sessions Judge at Karimnagar. There is no justification to invoke the jurisdiction of this Court under Section 482 of Cr.P.C. The Criminal Petition is devoid of merit and is liable to be dismissed.

7. In the result, the Criminal Petition is dismissed.

Pending miscellaneous petitions, if any, in this Criminal Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

24th October, 2017
Bvv