

HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE Nos.1015 AND 1016 OF 2017

COMMON ORDER:

Heard before admission and before notice to respondents 1 and 2.

Though this aspect of jurisdiction is raised in the revisions, same is not raised specifically before the lower court to go into that aspect for the scope of revision is, in sitting against the impugned order, on its legality and correctness.

Once same is not raised and decided before the lower court, for the accused are entitled to raise the same even before pre-charge enquiry, by virtue of the specific provisions under Section 245(2) Cr.P.C., such remedy is left open.

In the result, these criminal revisions are disposed of before admission, left open to the petitioners to raise the jurisdiction aspect by filing a separate application before the lower court, with a direction to the lower court to decide the same. Needless to say, the lower court shall consider in the event of filing any application under Section 205 Cr.P.C., so far as A1 also.

Miscellaneous petitions pending, if any, in these cases shall stand closed.

DR.B.SIVA SANKARA RAO, J

12.04.2017
SS