

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL REVISION CASE No.3102 OF 2017

JUDGMENT:

The present Criminal Revision Case is filed against the order, dated 31.10.2017, in CrI.M.P. No.1207 of 2017 in Criminal Appeal (SR) No.5647 of 2017, passed by the learned Metropolitan Sessions Judge, Hyderabad, condoning the delay of 27 days in preferring the appeal by the State - respondent No.1 herein.

2. The learned Sessions Judge having recorded that the certified copy of judgment discloses that the copy application was filed on 24.01.2017 and it was delivered on 13.02.2017 and the delay was not inordinate, and considering that the file was required to move to various offices to prefer an appeal, allowed the petition.

3. Aggrieved over the same, the present Criminal Revision Case is filed.

4. Heard Sri N. Krishna Sumanth, learned counsel for the revision petitioner, and the learned Special Assistant Public Prosecutor for the State of Telangana.

5. In fact, the delay is only 27 days. Conversely, if the conviction is recorded, sentence of imprisonment or fine is imposed, the delay of 27 days would be automatically condoned when the same is filed by the accused. It cannot be denied that to prefer the appeal by

the State certain process has to be resorted to. In that process the delay of 27 days that occurred cannot be viewed as inordinate delay.

There is no merit in the present Criminal Revision Case.

6. Accordingly, the Criminal Revision Case is dismissed.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the criminal revision case, stand closed.

December 12, 2017.
Mgr

A. SHANKAR NARAYANA, J

