

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL REVISION CASE No.1600 OF 2013

ORDER:

This criminal revision case is filed by the State, aggrieved by the order dated 15.07.2013 in CrI.M.P.No.2232 of 2013 in Crime No.207 of 2013 of P.S. Langer House, Hyderabad, whereunder the learned VI Additional Chief Metropolitan Magistrate, Hyderabad, dismissed the petition filed by the State seeking police custody of A4 for a period of four days. In the impugned order, the court below, having observed that the CD disclosed that the weapon said to have been used to commit the offence was already seized and also the cell phones used by the accused were seized and A1 to A3 were already arrested and produced before the court and therefore, nothing more could be extracted from A4 during the police custody, dismissed the said petition.

2. On hearing both sides, this Court finds no illegality or irregularity in the order impugned. Added to it, it is trite law under Section 167 Cr.P.C. that custody of an arrested accused can be given to the police within first fifteen days of his remand to the judicial custody and in the instant case, the accused/A4 was surrendered before the Magistrate on 05.07.2013 and he was remanded to judicial custody on the same date. Hence, at this length of time, the question of giving him to police custody even assuming that there is some

plausible ground, is not legally permissible. So at any rate, there are no merits in the criminal revision case.

3. Accordingly, this criminal revision case is dismissed.

As a sequel, miscellaneous petitions pending consideration, if any, shall stand closed.

U.DURGA PRASAD RAO, J

12.11.2018
SS

