

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL REVISION CASE No.218 OF 2019

ORDER:

This Criminal Revision Case, under Sections 397 and 401 of the code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), is filed by the petitioners/A.1 to A.6 to quash the order, dated 24.09.2018, passed in CrI.M.P.No.527 of 2018 in S.C.No.11 of 2018 on the file of Principal Assistant Sessions Judge, Kothagudem.

2. Heard the learned counsel for the petitioners/A.1 to A.6 and the learned Additional Public Prosecutor appearing for the 1st respondent-State. Perused the record.

3. The petitioners/A.1 to A.6 are being prosecuted for the offence punishable under Section 306 IPC. The petitioners filed an application under Section 227 Cr.P.C., before the Court below for discharge. The learned Sessions Judge after considering the material on record, by an elaborate order, dismissed the application.

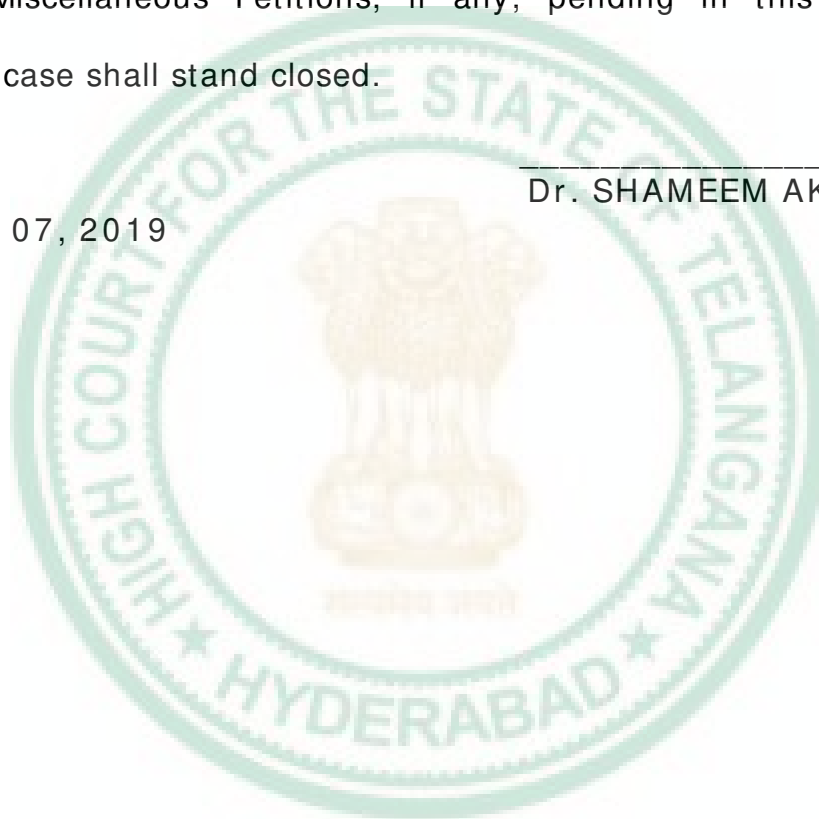
4. There are specific and grave allegations against the petitioners/A.1 to A.6 constituting the offence punishable under Section 306 IPC. There are sufficient grounds to proceed against the petitioners and also framing of charges. The learned Sessions Judge has given elaborate reasons in dismissing the application for discharge. The findings are based on record. As per the material, continuation of proceedings against the petitioners is not an abuse of process of law.

5. Hence, the Criminal Revision Case is dismissed. At this stage, learned counsel for the petitioners would submit that some of the petitioners are aged persons and their presence before the Court below may be dispensed with. Since petitioners/A.1 and A.2 are aged about 57 and 40 years respectively, they are at liberty to file an application before the Court below for dispensation of their presence. On filing of such application, the Court below may consider the same on merits.

Miscellaneous Petitions, if any, pending in this criminal petition case shall stand closed.

Dr. SHAMEEM AKTHER, J

MARCH 07, 2019
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Date:07.03.2019

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