

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Revision Case No.3291 of 2018

ORDER:

This Criminal Revision Case, under Sections 397 & 401 of Cr.P.C., is filed by the petitioners/accused, seeking to set aside the docket order, dated 10.04.2018, passed in P.R.C.No.6 of 2018 by the Judicial Magistrate of First Class, Narayanpet, taking cognizance against the petitioners/accused for the offences punishable under Sections 366, 376 and 506 read with 34 of IPC and to direct the learned Magistrate to convert the PRC into a Calendar Case.

2. Heard the learned counsel for the petitioners/accused, the learned Additional Public Prosecutor representing the petitioner-State and perused the record.

3. It is vehemently contended on behalf of the petitioners/accused that no offence punishable under Section 376 of IPC is made out against the petitioners/accused. This submission can be taken into consideration by the committal Court while passing the order of committal. Even if the subject case is committed to the Court of Session including the offence punishable under Section 376 of IPC, the petitioners/accused have right to assail the same before the Court of Session, before the charges are framed against them. Under these circumstances, it is not appropriate to grant the relief sought by the petitioners/accused.

4. Hence, the Criminal Petition is dismissed.

Pending miscellaneous petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

26th February, 2019
Bvv

