

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL REVISION CASE NO: 467 OF 2020

Criminal Revision Case filed Under Sections 397 and 401 of Cr.P.C aggrieved by the Order dated. 04.09.2019 made in CrI.MP.No.472 of 2019 in S.C.No.90 of 2017 on the file of the Court of the Special Sessions Judge for trial of cases under S.Cs and S.Ts(POA) Act- cum - VII Additional District Judge, at Khammam.

Between:

Racha Narendra Kumar, S/o. Nageswar Rao, Age. 50 Years, Occu. Business,
R/o. G.R.Basti, Kothagudem.

...Petitioner-Accused-Petitioner

AND

The State of Telangana, represented by Public Prosecutor, High Court of
Telangana, at Hyderabad.

...Respondent-Respondent

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant interim stay in S.C.No.90 of 2017 on the file of the Special Sessions Judge for trial of cases under S.Cs and S.Ts (POA) Act - cum - VII Additional District Judge, at Khammam, till the disposal of this Criminal Revision Petition or else there is every possibility to the Trial Court /Lower Court to go advance by closing the prosecution evidence.

Counsel for the Petitioner: M/s VARIYALA CHUDAMANI REDDY

Counsel for the Respondent: THE PUBLIC PROSECUTOR (TG)

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL REVISION CASE No.467 of 2020

ORDER:

This Criminal Revision Case, under Sections 397 and 401 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C'), is filed by the petitioner/accused, challenging the order, dated 04.09.2019 passed in Crl.M.P.No.472 of 2019 in S.C.No.90 of 2017 by the learned Special Sessions Judge for trial of cases under S.Cs and S.Ts (POA) Act-cum-VII Additional Sessions Judge, at Khammam.

2. Heard both sides. Perused the record.

3. As seen from the material placed on record, the application filed by the petitioner/accused under Section 311 of Cr.P.C seeking to recall PWs.1 to 9 for further cross-examination, was allowed by the Court below vide order dated 04.09.2019 passed in Crl.M.P.No.472/2019 in S.C.No.90/2017 subject to the availability of PWs.1 to 9 without prejudice to their earlier testimony on payment of costs of Rs.800/- to each witness i.e, PWs.1 to 9 (sic) and also on the condition that the counsel for the petitioner/accused has to cross-examine PWs.1 to 9 as and when they attend the Court, failing which the subject application shall stand dismissed.

4. The grievance of the petitioner/accused is that when to and fro bus fare between the Kothagudem i.e, place of residence of witnesses and Khammam is only Rs.160/-, the Court below erroneously imposed cost of Rs.800/- payable to each witness i.e,

PWs.1 to 9. It is pertinent to state that now-a-days, there is hike in the transportation charges. Further, the witnesses would also need to incur incidental expenditure like food etc.

5. In view of these circumstances, the impugned order dated 04.09.2019 passed in CrI.M.P.No.472 of 2019 in S.C.No.90 of 2017 by the Court below is modified and the cost of Rs.800/- directed to be paid to each witness i.e, PWs.1 to 9 is reduced to Rs.300/- to each witness. There is no alteration in other conditions imposed by the Court below. Since the subject Sessions Case is an old case, the Court below shall expeditiously conclude the trial, preferably within a period of three(3) months from today.

6. Accordingly, this Criminal Revision Case is disposed of.

Miscellaneous petitions, if any, pending in this Criminal Revision Case, shall stand closed.

SD/-CH.VENKATESWARULU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Sessions Judge for trial of cases under S.Cs and S.Ts(POA) Act-cum - VII Additional District Judge, at Khammam.
2. The Station House Officer, Kothagudem I Town Police Station, Khammam District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to M/s Variyala Chudamani Reddy, Advocate [OPUC]
5. Two CD Copies
6. One Spare Copy

MMK

TR



HIGH COURT

DATED:02/11/2021

ORDER

CRLRC.No.467 of 2020



DISPOSING OF THE CRIMINAL REVISION CASE.

MR
15/11

8