

HIGH COURT FOR THE STATE OF TELANGANA :: HYDERABAD

ROC No.873/SO/2024

Dt:27.09.2024

CIRCULAR No. 15 /2024

Sub:- High Court for the State of Telangana – Order dated 11.10.2023 in Crl. R.C.No.1798 of 2011 on the file of High Court – Certain directions issued to the Registry – Instructions issued - Reg.

Ref:- 1. Hon'ble High Courts order dated 11.10.2023 in Crl.R.C. No.1798 of 2011.
2. High Court's Circular instructions dated 30.07.2003 in ROC No.3515/OP CELL-E/2003.

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The High Court for the State of Telangana while disposing of a case in Crl.RC No.1798 of 2011 has made the following observation:

"7. Before parting with the judgment, this court is inclined to make some observations with regard to the period of detention of the accused, In most of the cases, it is observed that the preamble sheet / calendar of the trial Court as well as the appellate Court does not disclose when the accused was taken into custody, how many days the accused was in jail or whether he was released on trail on the same day of his arrest. In the absence of such information, in the facts and circumstances of the particular case, it becomes difficult for this court to arrive at a conclusion as to whether any lenient view can be taken to reduce the sentence by modifying the period of sentence imposed against the accused by the courts below keeping in view the gravity of offence and the period which the accused had already undergone. In that view of the matter, the Registry of this High Court is hereby directed to issue a Circular to all the Principal District Judges in the State who in turn shall re-circulate the same to all the criminal courts under the respective units to invariably send the calendar of events and also mention the date on which the accused was taken into judicial custody and the date on which he was released on bail, both in trial courts and appellate courts."

Attention is invited to the erstwhile High Court of Andhra Pradesh's Circular in the reference 2nd cited wherein all the Judicial Officers presiding over Criminal Courts were directed to mention the period of detention already undergone by the accused by the date of disposal of such cases, in their judgments.

Therefore, the High Court hereby reiterates the circular instructions mentioned supra and all the Presiding Officers of the Criminal Courts are also hereby directed to furnish "**Total Period of Detention undergone during Trial for purpose of section 428, Cr.P.C.**" in the preamble sheet in all Judgments in addition to the procedure in Code of Criminal Procedure, 1973, Bharatiya Nagarik Suraksha Sanhita, 2023 and Criminal Rules of Practice and Circular Orders, 1990, for enabling the Revisional Court to ascertain the period of sentence undergone by the accused in jail while dealing with Criminal Revision Cases.

P.T.O.

All the Unit Heads in the State are also instructed to circulate the said circular to all the Presiding Officers of the Criminal Courts under your control and ensure strict compliance of these circular instructions.

Receipt of the circular may be acknowledged.

Same
27/9/24
REGISTRAR GENERAL

To
All the Unit Heads in the State of Telangana.

Copy To:

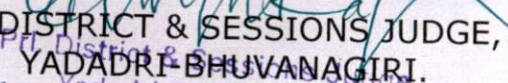
1. The Prl. Secretary to the Hon'ble the Chief Justice. (With a request to place the circular before the Hon'ble the Chief Justice).
2. All the P.Ss to the Hon'ble Judges. (With a request to place the circular before the Hon'ble Judges for their Lordships' kind perusal).
3. All the Registrars, High Court for the State of Telangana, Hyderabad.
4. The Director, Telangana State Judicial Academy, Secunderabad.
5. The Section Officers
 - a) OP Cell
 - b) B-Spl. Section
 - c) E Section
 - d) C Section
 - e) Vigilance Cell

**OFFICE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE:
YADADRI-BHUVANAGIRI.**

Endt.Dis.No. 1756 /2024/A1,

Dated: 07 -10-2024.

"Communicated, with a direction to follow the instructions in the circular of the Hon'ble High Court, *scrupulously*, if any deviation in this regard will be viewed seriously".


PRL. DISTRICT & SESSIONS JUDGE,
YADADRI-BHUVANAGIRI.

To:
All the Judicial Officers of Yadadri-Bhuvanagiri District.