

Appellate Jurisdiction. (a)

Criminal Petition No. 30 of 1869.

NARAPUREDDY, RAMAREDDY, and } Prisoners.
VAKKALA ADANNA..... }

The severity of a sentence is not of itself a ground on which the High Court can call for the record of a trial or other judicial proceeding under the general power of revision given by Section 404 of the Code of Criminal Procedure.

1869.
February 19.
C. P. No. 30
of 1869.

THIS was a petition against an order of B. Horsburgh, the Assistant Magistrate of Cuddapah, in Case No. 27 of 1868, confirmed on appeal by the Session Court of Cuddapah.

Miller, for the prisoners.

The Court delivered the following

JUDGMENT:—The objection that the acts and conduct of the prisoners as proved do not amount to an offence is, we think, untenable.

The other objection, that the sentence is excessive, we should be inclined to give effect to if we had the power, for the circumstances in evidence do not seem to us to call for the extreme punishment provided by Section 116 of the Penal Code. But the severity of a sentence is not of itself a ground on which the Court can call for the record of a trial or other judicial proceeding under the general power of revision in Section 404 of the Code of Criminal Procedure applicable to the present petition.