

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.8880 OF 2015

ORDER:

This Criminal Petition is filed by the petitioner/A3 under Section 482 Cr.P.C seeking to quash the proceedings in C.C.No.70 of 2015 on the file of I Additional Junior Civil Judge, Kovvur, where the learned Magistrate has taken cognizance for the offence punishable under Section 354-C r/w 34 r/w 109 I.P.C. and Section 67-A of the Information Technology Act.

Heard the learned counsel for the petitioner and the learned Public Prosecutor for the State before notice to respondent No.2 and before admission.

Perused the material on record. As the material falls short for this Court to admit the application, this criminal petition is disposed of giving liberty to the petitioner to file application under Section 239 Cr.P.C. before the learned Magistrate concerned if no grounds to frame charge under Section 240 Cr.P.C. in such an event the learned Magistrate shall hear and pass appropriate orders on own merits from the prosecution material vide **State of Orissa v. Debendranath Padhi**. In the event of framing of charges, further remedies are left open.

Accordingly, this Criminal Petition is disposed of.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:30-09-2015

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