

HON'BLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No.1736 of 2011

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ORDER:

This Criminal Petition is filed by the petitioners/A5 to A12 and A15, under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the proceedings in S.C.No.243 of 2009 on the file of the Principal Assistant Sessions Judge, Chittoor, registered for the offence punishable under Section 306 I.P.C.

Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor representing the State.

The petitioners herein are A5 to A12 and A15. The allegation against the petitioners is that the petitioners are responsible for the deceased to commit suicide. The basis for charge sheet against the petitioners and others is said to be a suicide note purported to have been written by the deceased and the names of all the persons who were responsible for committing suicide is mentioned in it, but no specific allegations are made against the petitioners herein.

In the same crime, A13 and A14 filed CrI.M.P.No.130 of 2010 before the Principal Assistant Sessions Judge, Chittoor, to discharge them from the proceedings in S.C.No.243 of 2009. However, the learned Judge dismissed the said petition on 13.07.2010. Aggrieved by the same, they filed CrI.R.C.No.1652 of 2010 before this Court and this Court by order dated 09.11.2010 clearly held that in the suicide note, except mentioning the names of the petitioners herein and others, there are no specific allegations against them and hence the petitioners therein, namely A13 and A14, were discharged.

The present Criminal Petition stands on the same footing and therefore, the petitioners herein/A5 to A12 and A15 are also seeking to discharge them from the proceedings in S.C.No.243 of 2009.

In view of the facts and circumstances of the case, the Criminal Petition is allowed and the proceedings in S.C.No.243 of 2009 on the file of the Principal Assistant Sessions Judge, Chittoor, against the petitioners herein/A5 to A12 and A15 are hereby quashed. It is made clear that the learned Judge shall dispose of the Sessions Case uninfluenced by any of the observations made in this order.

The miscellaneous petitions, if any, pending in the Criminal Petition shall stand closed.

M.S.K.JAISWAL, J

03.07.2015
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