

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.3707 of 2015

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ORDER :

This Criminal Petition is filed by the Petitioners/Accused Nos.1, 3, 4 and 6 under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.30 of 2015 on the file of First Additional Judicial Magistrate of the First Class, Kadapa, Kadapa District for the offences punishable under Sections 143, 452, 323, 427, 509 read with 34 I.P.C and Sections 3 and 4 of Prevention of Damages to the Public Property Act.

2) Heard, the learned counsel for Petitioners and the 1st respondent-State represented by the learned Public Prosecutor before admission of the petition under Section 482 Cr.P.C and before ordering any notice to the complainant-2nd respondent.

3) As the material no way permits admission of the quash proceedings, the same is disposed of giving liberty to the petitioners to raise all objections before the trial Court, if necessary by filing any application for discharge under Section 239 read with 240 Cr.P.C in the police warrant case to decide on merits. Subject to that, the petitioners are given liberty to move an application before the trial Court under Rule 33 Criminal Rules Practice and in such an event, the learned Magistrate shall consider to permit one of the accused to represent on behalf of the other accused subject to the conditions, if necessary, in the subject matter.

4) With the above observations, the criminal petition is disposed of.

5) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.01st June, 2015

KSH