

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Crl.P.No.8174 of 2014

ORDER :

This petition is filed under Section 482 of the Code of Criminal Procedure (for short, 'the CrPC') by the Petitioner-accused No.1 of S.C.No.18 of 2013 on the file of the learned I Additional District and Sessions Judge-cum-Spl.Judge for Electricity cases, Prakasam at Ongole, praying to quash the proceedings in the above case.

2. Heard the learned counsel for the petitioner/A.1 so also the learned Public Prosecutor for the respondent and perused the material on record.

3. Perused the docket order of this Court(another Bench) dated 28.04.2015 in directing the Assistant Public Prosecutor to seek instructions from the say by the petitioner of the amount of Rs.3,67,762/- so called pilferage consumption charges already paid and ready to pay the Rs.50,000/- compounding fee. As per the learned Asst. Public Prosecutor there are no further instructions from the department in this regard so far.

4. In fact, this Court (another Bench) in Crl.P.No.6953 of 2014 invoking Section 482 of Cr.P.C. for the self-same offences of pilferage and in view of readiness of the petitioner therein to pay the compounding amount, directed the Special Judge, to take appropriate action in terms of the rules of composition.

5. Having regard to the same, the Criminal Petition is disposed of with a self-same direction (as in Crl.P.No.6953 of 2014) to approach the trial Court either under Section 227 Cr.P.C. or by virtue of this order and by referring the above order without even quoting any provision of law since compounding fee is also stated to be paid. Consequently, miscellaneous applications, if any, pending in this Petition shall stand

closed.

Dr. B. SIVA SANKARA RAO, J

Date: 26.06.2015
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