

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.5345 of 2015

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ORDER :

This Criminal Petition is filed by the petitioner/A-2 under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.158 of 2007 on the file of Judicial Magistrate of the First Class, Atmakur, Kurnool District which is the outcome of Crime No.5/2007 of Veligonda police station registered for the offences punishable under Sections 290 and 341 I.P.C. It is based on the report of the Head Constable (HC 1601) of Veligonda Police Station, crime was registered and after investigation, police filed the final report that was taken cognizance by the learned Magistrate.

2) There were as many as 16 accused, all stood in same footing for the alleged Rasta Roko near the Police Station in saying it obstructs the public thorough fare. In fact, A-1 moved the Court and another bench of this Court in CrI.P.No.6145 of 2010, after hearing by order dated 05.06.2013 held no offence under sections 341 and 290 I.P.C that could be made out and quash the proceedings so far as A-1 concerned. It is needless to say in fact, a perusal of the order shows, the C.C. No.158 of 2007 proceedings quashed for no offence is made out against the accused persons though relief confined to A-1 who filed the quash petition.

3) Having regard to the above, benefit not only extends to A-1, who availed and to A-2, now sought for but against other accused even though not parties to it as the inherent power of the Court with all its length and breadth got elasticity to the necessity to subserve the ends of Justice and to prevent abuse of process.

4) Having regard to the above, the entire C.C case proceedings not only against the petitioner/A-2, but also against the other accused are forthwith quashed. The bail bonds of all accused, if any, shall stand cancelled. As a sequel, miscellaneous petitions pending, if any, in the above criminal petitions shall stand closed.

Dr. B. SIVA SANKARA RAO, J

19.11.2015

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