

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4066 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings initiated against the petitioners/ A-1, A-3 to A-7 in C.C.No.336 of 2014 pending on the file of XV Metropolitan magistrate, Cyberabad, Medchal arising out of Crime No.124 of 2014 of Pet Basheerabad, registered for the offences punishable under Sections 186, 201, 353, 290 read with Section 34 IPC.

Heard the learned counsel for the petitioners and the learned Public Prosecutor.

The main grievance of the petitioners is that as per the complaint, the occurrence took place during night at which time it is highly impossible to identify the persons who manhandled and obstructed the official duties of the de facto complainant and that the petitioners never committed the alleged offences and they were falsely implicated in the case.

Admittedly, the police after completion of investigation filed the charge sheet before the competent Court and the same was numbered as C.C.No.336 of 2014, which is pending before the competent Court. Whether the petitioners have committed the alleged offences or not is a matter to be decided by the trial Court after due trial and the same cannot be decided at this stage invoking the jurisdiction under Section 482 Cr.P.C. The petitioners herein are at liberty to raise all the

contentions as raised herein before the trial Court, which can consider and decide the same in accordance with law.

Having regard to the facts and circumstances of the case, and in view of the nature of the offences alleged are not serious in nature, this Court is not inclined to interfere with the proceedings initiated against the petitioners, and hence, the criminal petition is liable to be dismissed.

Accordingly, the criminal petition is dismissed. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 23-03-2016

-

Ksn