

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.7161 of 2016

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ORDER:
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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner/accused seeking to quash the proceedings in PRC No.16 of 2015 on the file of the XVI Additional Chief Metropolitan Magistrate, Nampally, Hyderabad for the offence punishable under Section 364 IPC.

Heard learned counsel for the petitioner and learned Public Prosecution.

Having perused the material available on record, it cannot be said that there is no *prima facie* material against the petitioner. However, learned counsel for the petitioner submitted that the warrant of arrest is pending against the petitioner.

Considering the facts and circumstances of the case, the Criminal Petition is disposed of directing the petitioner/accused to appear before the trial court and file a petition under Section 70(2) Cr.P.C. and on filing of such petition, the learned trial Court shall dispose of the same on the same day.

Consequently, the miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

06.06.2016

Note: issue c.c by tomorrow.

b/o kvrm