

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.12942 OF 2016

ORDER:

This petition is filed by the petitioners-accused under Section 482 Cr.P.C. seeking to quash the proceedings against them in FIR No.173 of 2016 on the file of Piler Police Station, Chittoor District, registered for the offence punishable under Sections 341, 307, 323 and 506 r/w 34 IPC.

Heard and perused the material available on record.

It is alleged that the 2nd respondent, who is the Counsel to the accused in C.C.No.182 of 2013 on the file of Principal Junior Civil Judge, Piler, cross-examined the 1st petitioner and during the cross-examination, the 1st petitioner behaved in reckless manner towards the 2nd respondent and later, while the 2nd respondent was going to his car, the petitioners abused him and the 1st petitioner caught hold of his shirt and beat him with hands and the 2nd petitioner picked up a knife from his pocket and tried to stab him. The advocates, who were present at that time, rescued the 2nd respondent.

The learned Counsel for the petitioners submitted that the 2nd respondent and his clients beat the 1st petitioner and caused bleeding injuries on the date of incident and the 2nd respondent filed a false complaint against the petitioners.

Learned Additional Public Prosecutor opposed this petition.

Considering the facts and circumstances of the case and the allegations made against the petitioners, this Court is not inclined to grant the relief sought by them. However, the petitioners are directed to avail the remedy by invoking the provisions under Section 438 Cr.P.C. The arrest of the petitioners is stayed for a period of 15 days from today.

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 2.9.2016

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DATED 2.9.2016

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