

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2348 OF 2016

ORDER:

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This criminal petition is filed, under Section 482 Cr.P.C., by the petitioner-A3 to quash the proceedings in P.R.C.No.141 of 2011 on the file of the Additional Judicial Magistrate of First Class, Anantapur, for the offences punishable under Sections 324, 326, 307 and 212 r/w.34 IPC and 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Heard and perused the material available on record.

It is alleged that there are disputes between the accused and the de facto complainant with regard to allowing the people, who belongs to caste of the de facto complainant, into Chennakesavaswamy temple and that the de facto complainant is taking active part for the same, therefore, accused Nos.1 and 2 attacked the de facto complainant with sickle and caused injuries and the petitioner helped them to escape from the place of occurrence.

After arguing for some time, the learned Counsel for the petitioner submitted that the petitioner may be permitted to file discharge application and his presence before the trial Court may be dispensed with.

Considering the facts and circumstances of the case and the submission made by the learned Counsel for the petitioner, the petitioner is permitted to file discharge application before the trial Court and on such application being filed, the trial Court shall consider the same in accordance with law. Till the disposal of such discharge application, the presence of the petitioner before the trial Court is dispensed with, except on the date of committal of the case and also on the date of framing of charges.

With the above directions, the Criminal Petition is disposed of.

Miscellaneous petitions pending if any, shall stand closed.

RAJA ELANGO, J

February 25, 2016.
KTL