

**THE HON'BLE SRI JUSTICE RAJA ELANGO**

**Criminal Petition Nos.5098 and 6068 of 2016**

**ORDER:**

Criminal Petition 5098 of 2016 is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-3, A-5, A-6 and A-12 in S.C.No.289 of 2015 pending on the file of Assistant Sessions Judge, Nandyal, Kurnool District, arising out of Crime No.225 of 2014 of Kurnool II Town Police Station, registered for the offences punishable under Sections 147, 148, 341, 324, 506, 307, 109 read with section 149 IPC.

Criminal Petition 6068 of 2016 is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-2 to A-5 in S.C.No.556 of 2015 pending on the file of Special Sessions Judge for Trial of SC & ST Cases-cum-VI Additional District and Sessions Judge, Kurnool, arising out of Crime No.226 of 2014 of Nandyal II Town Police Station, registered for the offences punishable under Sections 147, 148, 323, 324, 506 read with Section 149 IPC and Section 3 (1)(x) of SC ST (Prevention of Atrocities) Act, 1989.

Heard and perused the material on record.

The main grievance of the petitioner is that the offence took place on 31-10-2014 at 12.00 noon at Municipal Office, Nandyal and three complaints were lodged and three separate charge sheets were filed in respect of the same offence thereafter, the cases were committed to the Court of Session, which were numbered as S.C.No.289 of 2015 pending on the file of Assistant Sessions Judge, Nandyal, Kurnool District; S.C.No.288 of 2015 pending on the file of Assistant Sessions Judge, Adoni and

S.C.556 of 2015 pending on the file of Special Sessions Judge for Trial of SC & ST Cases-cum-VI Additional District and Sessions Judge, Kurnool. Learned counsel for the petitioners further submitted that since the alleged offences in all these three cases took place in the same transaction on the same set off facts, no separate complaints can be lodged and no separate charge sheets were filed. He further submitted that all these three cases were pending before different courts though the offence alleged took place in the same transaction and that if all these cases were tried together and decided by one Court, there will not be any conflicting decisions in respect of the same offence and it would suffice to meet the ends of justice.

Having regard to the facts and circumstances of the case and considering the submissions of the learned counsel for the petitioners in both the cases, without expressing any opinion on the merits of the case, this Court is of the view that if all the three cases are tried together and decided by one court, ends of justice would be better met and there will not be any conflicting decisions in respect of the same offence.

Therefore, S.C.No.288 of 2015 pending on the file of Assistant Sessions Judge, Adoni and S.C.No.289 of 2015 pending on the file of Assistant Sessions Judge, Nandyal, Kurnool District are withdrawn from that Courts and transferred to the Court of Special Sessions Judge for trial of SC & ST Cases-cum-VI Additional District and Sessions Judge, Kurnool where S.C.556 of 2015 is pending. On such transfer, the learned VI Additional Sessions Judge, Kurnool, is directed to try all the three cases simultaneously and dispose of the same on the same day in accordance with law.

With the above direction, Criminal Petitions are disposed of.  
Consequently, miscellaneous petitions, if any, pending shall stand closed.

**RAJA ELANGO, J**

Date: 25-04-2016

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