

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.2366 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/accused in C.C.No.94 of 2015 pending on the file of Additional Judicial First Class Magistrate, Sircilla, Karimnagar District arising out of Crime No.3 of 2015 for the offences punishable under Sections 448 and 354-A IPC.

Heard the learned counsel for the petitioner/accused No.2 and the learned Public Prosecutor and perused the material available on record.

A perusal of the material on record would reveal that the concerned court, after filing of charge sheet, has taken cognizance of the case for the offences punishable under Section 448 and 354-A IPC and issued summons to the accused. The truth or otherwise of the allegations of the charge sheet will be ascertained only after a full-pledged trial and the same cannot be determined by this Court at this stage.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioner, this Court is not inclined to quash the proceedings against the petitioner/accused. However, in view of the fact that summons were issued to the accused, the petitioner may file appropriate application for his discharge raising all the points as raised herein before the Court and on filing of such application, the learned Additional Judicial First Class Magistrate, Sircilla, Karimnagar District shall consider the same and pass appropriate

orders in accordance with law. Till such orders passed, the presence of the petitioner is dispensed with except on the date when his presence is essentially required by the Court.

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

RAJA ELANGO, J

Date: 24-02-2016

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