

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.12 OF 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure, 1973 by the petitioner/A-2 seeking to quash the proceedings in F.I.R.No.10 of 2015 on the file of Tiruchanur Police Station, Tirupati Mandal, Chittoor District.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioners are punishable under Sections 120-B, 341, 302 and 201 read with 34 I.P.C.
4. The only point raised by the learned counsel for the petitioner is that the petitioner/A-2 is added as an accused on the basis of the confession made by co-accused and that the said confession is not admissible before the trial Court. This Court is also aware of the said fact, but at the same time, the confession of co-accused can be relied upon by the Investigating Agency for the purpose of investigation. The truth or otherwise of the said allegations can be ascertained by the Investigating Agency during the course of investigation. Therefore, this Court is not inclined to interfere with the proceedings against the petitioner in the above crime.
5. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

28.3.2016
AMD

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