

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.5904 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/accused in P.R.C.No.18 of 2015 on the file of Judicial Magistrate of First Class, Rampachodavaram arising out of Crime No.69 of 2014 of Devipatnam Police Station, registered for the offences punishable under Section 306 read with Section 34 IPC.

Heard and perused the material available on record.

A perusal of the charge sheet would reveal that specific allegations are made against the petitioners constituting the alleged offences. Whether the petitioners/accused have committed the alleged offences or not is a matter to be adjudicated after a full fledged trial and the same cannot be decided at this stage invoking the jurisdiction under Section 482 Cr.P.C. The grounds raised by the petitioners herein can be considered by the trial Court and this Court cannot consider the same at this stage.

Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, the petitioner/accused is directed to approach the trial Court and file appropriate application seeking to discharge him from the charge to be framed by raising all the grounds as raised herein and on filing of such application, the trial Court shall consider the same and pass appropriate orders in accordance with law.

With the above observation, this criminal petition is disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 22-04-2016

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