

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41531 OF 2016

ORDER:

The present writ petition is filed by the petitioner seeking to call for the records pertaining to SC No.105 of 2016 on the file of III-Additional District Judge, Tirupati, and quash the same.

Heard and perused the material available on record.

The petitioner is facing trial in SC No.105 of 2016 on the file of the III-Additional District Judge, Tirupathi, for the offences under Sections 120(B) and 307 r/w.34 IPC. To quash the proceedings in the above case, the petitioner filed the present writ petition.

On perusal of the entire record, this Court is of the view that the present writ petition is not maintainable and therefore, the same is liable to be dismissed and that the petitioner can file a discharge application before the trial Court and raise all the points that are urged before this Court. At this stage, learned counsel for the petitioner confined his prayer and requested for dispensing with presence of the petitioner before the Court below.

Taking into consideration the submissions made by the learned counsel for the petitioner, liberty is given to the petitioners to file a discharge application before the trial Court, and till disposal of the said discharge application by the trial Court, the presence of the petitioner is dispensed with before the trial Court.

Accordingly, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

November 30, 2016
KTL