

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.13939 of 2016

ORDER:

The present petition is filed under Section 482 Cr.P.C seeking to quash the proceedings initiated against the petitioner, arraigned as Accused No.1, who is alleged to have committed the offences under Sections 188 & 171-E & 171-B of India Penal Code, in C.C.No.7 of 2015 on the file of the III Additional Chief Metropolitan Magistrate at Erramanjil, Hyderabad.

2. Learned counsel for the petitioner would contend that in the very same crime, the proceedings in the same Calender Case against Accused No.2 were quashed in CrI.P.No.10986 of 2016 on 27.07.2016 and the allegations levelled against both the accused are identical and, therefore, the present petitioner cannot be singled out and ,as such, sought to quash the proceedings against the petitioner even.

3. Learned Public Prosecutor concedes the same.

4. The offences relate to violation of the Code of Conduct during elections. When the proceedings against Accused No.2 were quashed, certainly, the proceedings against Accused No.1 in the same crime cannot be continued and, therefore, it has to be viewed that the order passed in CrI. P. No. 10896 of 2016 applies to the present

petitioner also.

5. In view of the above, the present Criminal Petition is allowed quashing the proceedings in C.C.No.7 of 2015 on the file of the III Additional Chief Metropolitan Magistrate at Erramanjil, Hyderabad, against the petitioner.

6. As a sequel thereto, miscellaneous applications, if any pending in the instant petition, shall stand closed.

30.09.2016
v v

JUSTICE A.SHANKAR NARAYANA

