

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4309 OF 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in P.R.C.No.35 of 2016 on the file of the Hon'ble Judge for Trial of Offences under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act-cum-VI Additional Metropolitan Sessions Judge, at Secunderabad, arising out of offences under Section 376(N) IPC and Section 3(2)(iii) of the SCs and STs (PoA) Act.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the allegations made against the petitioner do not attract the offences registered against the petitioner and as such, prays this Court to quash the proceedings against the petitioner herein.

This Court is of the view that truth or otherwise of the allegations made against the petitioner can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.

Considering the facts and circumstances, this Court is of the view that the petitioner is given liberty to file an application raising all the grounds seeking discharge and on filing of such application, the Court below is directed to dispose of the same in accordance with law after hearing the learned counsel for the petitioner. Till disposal of the said application, the presence of the petitioner is dispensed with before the Court below, except the date on which the case is committed to the Sessions Court.

The Criminal Petition is accordingly disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

29.03.2016

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