

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2930 OF 2016

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ORDER:

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This petition is filed by the petitioners-accused Nos.1 & 2 under Section 482 Cr.P.C. seeking to quash the proceedings against them in C.C.No.612 of 2015 on the file of the I Additional Chief Metropolitan Magistrate, Vijayawada.

Heard and perused the material available on record.

The petitioners are alleged to have committed the offence punishable under Sections 506 r/w 34 IPC. It is alleged in the charge sheet that L.W.1-2nd respondent, who is a writer under his pen name "Mythli Venkateswara Rao", gave printing rights to 1st petitioner-A1 for printing his scripts in the form of books till 2008 and later, disputes arose between L.W.1 and A1 as A1 infringed the copy right by collecting some of the articles from Talapatra Nidhi written by L.W.1 and by publishing in Calendar of 2010 in the name of Nemani Vari Kala Nirnayam underneath the calendar sheets. Later, L.W.1 started getting his books published through Saraswathi publications. The 1st petitioner got a grouse against him and threatened the other publishers not to publish the books of L.W.1, and also threatened the shopkeepers not to sell the books of L.W.1. It is alleged that the 1st petitioner copied the book of L.W.1 i.e., Sree Lakshmi Nidhi and published as Mahalakshmi Nidhi.

Learned Counsel for the petitioners submitted that there are no allegations of criminal intimidation to attract the provisions of Section 506 IPC and the initiation of criminal proceedings against the petitioners amounts to abuse of process of law.

Considering the facts and circumstances of the case and the allegations in the charge sheet, this Court is not inclined to interfere with the proceedings in the above C.C.

Accordingly, the Criminal Petition is dismissed. Consequently,

miscellaneous petitions pending, if any, shall stand dismissed.

JUSTICE RAJA ELANGO

Date : 8.3.2016

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DATED 8.3.2016

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