

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.12654 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner/accused No.9 seeking to quash the proceedings in C.C.No.150 of 2015 on the file of the Judicial First Class Magistrate, Penukonda, Anantapur District against the petitioner/accused No.9.

Heard the learned counsel for the petitioner/accused No.9 and the learned Public Prosecutor and perused the material available on record.

On a perusal of the charge sheet, 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 of the case and since it is represented that warrants are pending against the petitioner/accused No.9, the Criminal Petition is disposed of directing the petitioner – accused No.9 to appear before the learned Judicial First Class Magistrate, Penukonda, Anantapur District and file petition under Section 70(2) Cr.P.C. within fifteen days from today and on filing of such petition, the learned Magistrate shall dispose of the petition on the same day on usual terms and proceed with the case on merits.

Miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

06.09.2016

skmr

