

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2206 OF 2016

ORDER:

1. This petition is filed by the petitioners-A2, A3, A4, A7 and A16 under Section 482 Cr.P.C. seeking to quash the proceedings against them in C.C.No.59 of 2014 on the file of the Additional Judicial Magistrate of First Class, Kadiri.

2. It is alleged that on 24.7.2013 at 10.30 a.m., while H.C.222 and PCs-2669, 2914 and 1059 were on traffic duty at Mudigubba bus stand, they found a procession that took out by winning party in the Panchayat Elections under the leadership of A1 and others. When the police party asked A1 and others to show the permission for procession, they failed to show the same. Even though the police personnel informed A1 and others that taking a procession without permission is an offence, the accused ignored the same and continued the procession. Thus, the petitioners and other accused committed the offence punishable under Section 188 IPC and Section 214 (1)(a) of Andhra Pradesh Panchayat Raj Act.

3. The learned Counsel for the petitioners submitted that A1 in the above crime filed CrI.P.No.531 of 2014 before this Court seeking to quash the proceedings against him and this Court allowed the said Criminal Petition quashing the proceedings against A1. He further submitted that the allegations made against all the accused in the above case are one and the same and that the petitioners and other accused in the above C.C. stood on the same footing as that of A1 and therefore, the benefit given to A1 in the above CrI.P.No.531 of 2014 may be extended to the petitioners and other accused.

4. Considering the facts and circumstances of the case and the order of this Court in CrI.P.No.531 of 2014 and in view of the fact that the allegations made against all the accused is one and the same, this

Court is of the view that the entire proceedings in the above C.C.No.59 of 2014 can be quashed. Even though the other accused in the above C.C. are not before this Court, the benefit can be extended to all the accused in the above C.C.

5. Accordingly, the Criminal Petition is allowed quashing the proceedings against all the accused in C.C.No.59 of 2014 on the file of the Additional Judicial Magistrate of First Class, Kadiri. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 22.2.2016

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DATED 22.2.2016

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