

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.1363 of 2015

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/ accused in C.C.No.312 of 2014 on the file of Judicial Magistrate of First Class, Puttur, Chittoor District arising out of Crime No.136 of 2014 of Puttur Police Station, registered for the offences punishable under Section 417, 468 and 471 IPC.

Heard and perused the material available on record.

Admittedly, the police after completion of investigation into the alleged crime, filed charge sheet and the same was numbered as C.C.No.312 of 2014. A reading of the charge sheet would reveal that there are specific allegations alleged against the petitioner/ accused constituting the offences much less the alleged offences, the truth or otherwise of which can be adjudicated only after a full fledged trial and the same cannot be determined invoking the jurisdiction under Section 482 Cr.P.C. The petitioner/accused is at liberty to raise all the grounds as raised herein before the trial Court, which can consider the same in accordance with law.

Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, the petitioner/ accused is directed to

approach the trial Court and file appropriate application seeking to discharge him from the charges to be framed by raising all the grounds as raised herein and on filing of such application, the trial Court shall consider the same and pass appropriate orders in accordance with law.

With the above observation, this criminal petition is disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 11-04-2016

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