

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6706 OF 2012

ORDER:

This Criminal Petition is filed by the petitioners – A1 and A3 seeking to quash the proceedings against them in CC No.88 of 2012 on the file of the Judicial Magistrate of first Class, Palamaner.

Heard and perused the material available on record.

After perusing the material available on record, this Court is of the view that any order passed on an application/ complaint made under Section 340 Cr.P.C., the party aggrieved over the said order, can prefer an appeal by invoking the provisions under Section 341 Cr.P.C., therefore, this criminal petition is not maintainable.

Accordingly, the Criminal Petition is dismissed as not maintainable, and at the same time, the petitioners are at liberty to invoke the provisions under Section 341 Cr.P.C., and file an appeal before the appropriate forum. If any delay is occurred in preferring the appeal, the same is directed to be condoned, since the petitioners approached this Court. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

August 27, 2016.
KTL