

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2025 OF 2016
ORDER:

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This Criminal Petition under Section 482 of Cr.P.C. is filed by the accused No.1 to 7, 9, 10 and 15 seeking to quash the proceedings in C.C.No.365 of 2013 pending on the file of Judicial First Class Magistrate, Chevella for the offences under Sections 3,4,5,7,8 of Immoral Traffic Act, 1956 and Section 26 of A.P. Telangana District Police Act-1329 and Section 294 IPC.

The allegation against the accused-petitioners herein is that on the night of 25/26-01-2013 at about 11.00 hours all the accused i.e. A.1 to A.15 gathered at Chaitanya Resort, Earlapally village of Chevella Mandal along with victim girls and enjoying the weekend party and thus they have committed the offences alleged.

It is contended by the learned counsel for the petitioners that the petitioners have not committed the offences as alleged and that it is only a get together party hosted by some other persons and mere attending the party itself will not attract the offences alleged against the petitioners.

Heard the learned counsel for the petitioners and learned Additional Public Prosecutor and perused the material available on record.

As rightly pointed out by the learned counsel for the petitioners neither the petitioners have arranged the party nor they are the owners of the premises wherein the alleged party has taken place. Furthermore the said premises is also not a public place and it is a resort wherein a party was arranged by some other persons, to which, the petitioners herein are invitees.

The petitioners' mere participation in the said party would not attract the offences alleged. Hence, the impugned proceedings are liable to be quashed.

In the result, the Criminal Petition is allowed and the proceedings in C.C.No.365 of 2013 pending on the file of Judicial First Class Magistrate, Chevella, R.R.District are hereby quashed as against the petitioners herein.

Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

16.03.2016

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