

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.5560 OF 2013

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.1 seeking to quash the proceedings in C.C.No.1196 of 2009 on the file of Additional Judicial Magistrate of First Class, Sangareddy, Medak District.

2. The case of the prosecution is that on 18.07.2008 at about 1800 hours, the Sub-Inspector of Police, Sadasivapet Police Station, Medak District, received endorsed petition from the Superintendent of Police, Medak and Circle Inspector of Police, Sadasivpet Police Station, wherein it is mentioned that on 16.07.2008 in the morning hours, the petitioner/A.1 along with others obstructed the duties of Joint Collector, other officials and confined the D.E.O in a room and also threatened the officials with dire consequences to shoot the press reporter and others due to non-issuance of T.Cs. Basing on the said endorsed petition, police registered a case in Crime No.171 of 2008 of Sadasivpet Police Station, Medak District, for the offences punishable under Sections 342, 353 and 506 IPC. After completion of investigation, police filed charge sheet before the Additional Judicial Magistrate of First Class, Sangareddy, who in turn took cognizance of the offences as stated above and the case was numbered as C.C. No.1196 of 2009.

3. Heard and perused the material on record.

4. Learned counsel for the petitioner submits that the averments made in the charge sheet are to be taken true, no

offence is attributed against the petitioner; that the complaint lodged by the District Collector is not an eyewitness to the occurrence; that the said complaint was lodged by the complainant on the basis of information given by the Joint Collector, who visited the premises of Grace Land High School, situated in Paul Clarity City, Sadasivpet and hence, he prays to quash the proceedings.

5. The only allegation against the petitioner as per the prosecution is that when an official team headed by the Joint Collector went to the school in order to verify the records and also to ascertain regarding the allegations made by the public, even though it is informed by management of the school that the Joint Collector came to inspect the institution, some persons armed with weapons are roaming in the institution claiming themselves to be the bodyguards of the petitioner and detained some of the officials inside the premises. Apart from the said fact, the petitioner is also directed his security guards to shoot the press reporter of a particular paper, who went to the institution along with the officials for coverage.

6. The entire reading of the complaint as well as the statement and also the charge sheet, the only allegation against the petitioner herein is that he directed his security guards to shoot the press reporter of a particular newspaper concerned. But, the said person was not examined by the police and there is no material except the allegation that he instructed his gunmen to provide security to him and also to shoot press reporter of a particular newspaper concerned. The said complaint is very vague in nature. As seem from the averments made in the charge sheet, no specific

allegation is attributed against the petitioner. Hence, this Court is of the view that the though the entire allegations made in the report do not disclose the involvement of the petitioner to connect with the present case, continuation of proceedings against him is nothing but abuse of process of law.

7. Accordingly, the Criminal Petition is allowed quashing the proceedings in C.C.No.1196 of 2009 on the file of Additional Judicial Magistrate of First Class, Sangareddy, Medak District, against the petitioner/A.1 only. Miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

SEPTEMBER 27, 2016

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Date: 27.09.2016

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