

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.2782 of 2011

ORDER:

The criminal petition is filed for quash of the proceedings in CC.No.443 of 2009 on the file of the Judicial First Class Magistrate, Alampur. The offence alleged is under Section 500 of Indian Penal Code, 1860.

2. Heard the counsel for the petitioners and the learned Public Prosecutor appearing for the first respondent. None appears for the second respondent in spite of notice.

3. As per the averments of the complaint, the petitioner herein got published a wrong news in Andhrajyothi Newspaper, stating that the complainant obstructed the duties of one Venkataiah, who is working as Superintendent in Alampur and the Court below delivered the judgment.

4. The counsel for the petitioner draws the attention of this Court to the charge sheet, which is filed in Cr.No.34 of 2007, which is registered against the complainant with regard to the same allegation.

5. Hence, in the background of the fact that a crime was registered against the petitioner for the acts, which were reported by the petitioner in a newspaper, this Court opines that the aforesaid act does not amount to an offence under Section 500 IPC and imputations, if any, cannot be considered as having made with an intention to spoil the reputation of the complainant.

The criminal petition is allowed and the proceedings in CC.No.443 of 2009 on the file of the Judicial First Class Magistrate, Alampur, against the petitioner, are hereby quashed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

December 26, 2017
DSK

T. RAJANI, J

