

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1376 OF 2017

ORDER:

The present Criminal Petition is filed, under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the proceedings in C.C. No.1745 of 2016 on the file of III Additional Chief Metropolitan Magistrate, Hyderabad, arising out of Crime No.791 of 2016 of S.R. Nagar Police Station, Hdderabad City.

2. The petitioner, who is arraigned as accused No.6 viz., Suryakanth, alleged to have committed the offences punishable under Section 3 and 4 of A.P. Gaming Act, 1974.

3. The only submission made by the learned counsel for the petitioners, Sri D. Mohan Rao, is that since the petitioner, who has been working as Home Guard, did not oblige his superior officer, he has been falsely implicated in the crime though, he was totally innocent.

4. A perusal of the complaint averments as well as the material placed on record, certainly, would not support the alleged motive to implicate the petitioner. There is no need to refer to the allegations which would directly indicate the complicity of the petitioner in the commission of the alleged offences; certainly, it cannot be said that prosecuting the petitioner for the offences alleged against him would amount to abuse of process of law.

5. Therefore, the Criminal Petition is dismissed, at the admission stage itself.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

A. SHANKAR NARAYANA, J

February 17, 2017.
PV

