

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.10884 OF 2017

ORDER:

This criminal petition is filed under Section 482 of Criminal Procedure Code (for short "Cr.P.C.") to quash the order dated 13.09.2017 passed in CrI.M.P.No.2018 of 2017 by the V Additional Judicial Magistrate of First Class, Tirupati, whereby petition filed under Section 451 of Cr.P.C. was dismissed.

The order under challenge is amenable to revisional jurisdiction before the competent Court and when statutory remedy is available, this Court cannot exercise inherent jurisdiction under Section 482 of Cr.P.C. in view of the law declared by Apex Court in "***Municipal Corporation of Delhi Vs. Ram Kishan Rohtagi and others***¹",

As per the principle laid down in the judgment referred supra, the criminal petition is not maintainable and the same is liable to be dismissed.

In the result, the petition is dismissed. No costs. However, liberty is given to the petitioner to file appropriate application.

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

JUSTICE M. SATYANARAYANA MURTHY

16.11.2017
Ksp

¹ AIR 1983 SC 67