

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.703 OF 2018

ORDER:

This Criminal Petition is filed under Section 482 of Cr.P.C. seeking to quash the proceedings against the petitioners-A.1 to A.3 in C.C. No.385 of 2017 on the file of the Judicial Magistrate of First Class, Thungathurthi, Nalgonda District, in connection with Crime No.23 of 2017 of Thirmalagiri Police Station, registered for the offences under Sections 504, 506 I.P.C. r/w Section 34 I.P.C.

2. Heard the learned counsel for the petitioners-A.1 to A.3 and the learned Assistant Public Prosecutor for respondent No.1-State, apart from perusing the material available on record.

3. Learned counsel for the petitioners-A.1 to A.3 would submit that the petitioners are falsely implicated in this case; none of the allegations made in the report dated 01.03.2017 is true; the allegations made in the charge sheet also do not constitute any offence against the petitioners; the continuation of proceedings against the petitioners is abuse of process of law; and ultimately, prayed to allow the application.

4. On the other hand, learned Assistant Public Prosecutor opposed the relief sought by the petitioners-A.1 to A.3.

5. As per the statements of the witnesses and the report made by the *de facto* complainant before the police on 01.03.2017, it has come on record that the *de facto* complainant is working as a Government Teacher at Thirumalagiri ZPHS High School. On 10.01.2017, when he was teaching the students, the petitioners-A.1 to A.3 came to the school, obstructed his duty and threatened him. Further, they have blackmailed and demanded some amount stating that the *de facto* complainant gave

corporal punishments to the students who came late to the school. In that process, one Boda Soujanya suffered injury to hand. The parents of the said student complained to the Head Master and the Head Master enquired about the alleged incident, called the *de facto* complainant and asked him about the injury sustained by the said student. In that process, the petitioners-A.2 and A.3 indulged in alleged offences and also demanded an amount of Rs.5,000/- towards hospital expenditure. There is also allegation that the petitioners-A.2 and A.3 used un-parliamentary language and threatened the *de facto* complainant with dire consequences. Thereafter, it is alleged that the petitioners-A.1 to A.3 conducted a Rastha-Roko. The truth or otherwise of the allegations can only be determined after due trial. There is investigation on the part of the police officer fortifying the allegations mentioned in the report dated 01.03.2017. The continuation of proceedings against the petitioners-A.1 to A.3 is not abuse of process of law. The petition is devoid of merit and it is liable to be dismissed.

6. Accordingly, this Criminal Petition is dismissed. Miscellaneous petitions, if any pending in this Criminal Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

Date: 14-02-2018

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