

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.1771 OF 2013

ORDER:

1. This Criminal Petition, under Section 482 of Cr.P.C., is filed by the Petitioners/A-1, A-2, A-5 and A-11 seeking to quash the proceedings in C.C. No.1039 of 2009, pending on the file of the Court of Additional Judicial Magistrate of First Class, Anantapur (for short, 'the trial Court'), registered for the offences punishable under Sections 188 and 283 R/w.34 of I.P.C.

2. Heard learned counsel for the petitioners and learned Public Prosecutor, appearing for the respondent – State.

3. Learned counsel for the petitioners submits that except these petitioners, the proceedings against the other accused, who filed Criminal Petition Nos.4231 of 2011 and 1918 of 2015, were quashed by this Court by virtue of the orders dated 04.07.2014 and 07.04.2015, respectively.

4. Hence, in view of the fact that these petitioners also face the same allegations as that of the other petitioners, against whom the proceedings in C.C. No.1039 of 2009 were already quashed by this Court, the prosecution against the petitioners cannot be sustained.

5. Hence, in view of the above, this Court opines that continuation of further proceedings against the Petitioners would result in sheer abuse of process of law.

6. Accordingly, the Criminal Petition is allowed and all further proceedings against the Petitioners/A-1, A-2, A-5 and A-11 in C.C. No.1039 of 2009, pending on the file of the Court of Additional Judicial First Class Magistrate, Anantapur, are hereby quashed.

7. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

T.RAJANI, J

Date: 13.12.2018.
Dsh

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