

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.3922 OF 2012

ORDER:

This petition is filed, by the petitioners, seeking for quash of the proceedings against them in C.C.No.663 of 2011 on the file of the court of XVII Additional Chief Metropolitan Magistrate at Hyderabad. The offences alleged are under Sections 499, 500, 504, 505(1)(b)(c) and 505(2) IPC.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing for the 1<sup>st</sup> respondent as well as the counsel appearing for the 2<sup>nd</sup> respondent.

3. The allegations in the complaint shows that the petitioners have conducted a press conference, wherein they alleged that the Chiranjeevi blood bank collected Rs.14 lakhs from the Government of Andhra Pradesh in the year 2007-09 for his existence and that like any other blood bank, 2<sup>nd</sup> respondent Blood Bank also received blood bags and reagents from the National Aids Control Organization (NACO), Ministry of Health and Family Welfare, Government of India. It was also alleged that the petitioners in the said press conference has stated that injustice is being done to the public and that there is only a show of charity and no charity work is being done by the Blood Bank.

4. The above allegations, which are made before the press, would only suggest that the petitioners had some intention to defame the 2<sup>nd</sup> respondent, as they are no way concerned with

the blood bank or its affairs. However, the truth of the said allegations has to be gone into only at the time of trial. *Prima facie*, it appears that the alleged offences are attracted and hence, the proceedings cannot be quashed against the petitioners.

5. With the above observations, the Criminal Petition is dismissed. However, the plea of the petitioners' counsel that the presence of the petitioners may be dispensed with, can be considered by directing the Court below not to insist upon the presence of the petitioners unless it is necessary for the proceedings of the case. Interim stay granted by this court by order dated, 23.04.2012, in CRLPMP No.4070 of 2012, shall stand vacated.

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

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T.RAJANI, J

December 3, 2018  
LMV