

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.9154 OF 2011

ORDER:

This Criminal Petition, under Section 482 of Cr.P.C., is filed by the Petitioners/A-1 to A-3 seeking to quash the proceedings in C.C. No.379 of 2010, on the file of the Court of V Additional Judicial Magistrate of First Class, Nellore (for short, 'the trial Court'), registered for the offences punishable under Sections 107, 120-B, 193, 196, 211, 341, 465, 468 and 500 of I.P.C.

2. Heard learned counsel for the petitioners, learned Public Prosecutor, appearing for the 1st respondent – State, and learned counsel for the 2nd respondent – *de-facto* complainant.

3. Originally, the complaint is filed for the offences punishable under Sections 107, 120-B, 193, 196, 211, 341, 465, 468 and 500 of I.P.C. against A-1 to A-4. But, the trial Court took cognizance of the case only for the offence under Section 506 I.P.C. recording that with regard to Sections 465 and 468 I.P.C., the complaint does not disclose the ingredients. But, a perusal of the complaint shows that even the ingredients of Section 506 of I.P.C are not attracted against these petitioners.

4. 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.

5. Accordingly, the Criminal Petition is allowed and all further proceedings against the petitioners/A-1 to A-3 in C.C.No.379 of 2010, on the file of the Court of V Additional Judicial Magistrate of First Class, Nellore, are hereby quashed.

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

T.RAJANI, J

Date: 04.10.2018.
Dsh

SMT JUSTICE T.RAJANI**266****11102018****CRIMINAL PETITION No.9154 OF 2011**

Date. 04.10.2018

DSH