

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.9162 OF 2011

ORDER:

The present Criminal Petition is filed, under Section 482 of the Code of Criminal Procedure, 1973, by the petitioners - accused seeking to quash the proceedings against them in Calendar Case No.574 of 2010, pending on the file of the learned Additional Junior Civil Judge, Chirala, Prakasam District, Andhra Pradesh State, registered for the offence punishable under Section 63 of the Copyright Act, 1957.

2. Heard learned counsel for the petitioners, and the learned counsel for respondent No.2.

3. The learned counsel for respondent No.2 draws the attention of this Court to the order, dated 03.11.2009, in Criminal Petition No.7165 of 2009, passed by a learned Single Judge of this Court, by virtue of which, petition filed by the petitioners herein seeking to quash the proceedings in Crime No.239 of 2009 of Chirala I Town Police Station, was dismissed. He finally submits that all the pleas now taken in the present petition were already taken in CrI.P. No.7165 of 2009.

4. Perused the copy of the order, dated 03.11.2009 in CrI.P. No.7165 of 2009. Though the said order did not deal with the grounds raised in CrI.P. No.7165 of 2009, it cannot be assumed that the Court did not consider those grounds. It has to be assumed that by considering

all the grounds, learned Single Judge of this Court disposed of the petition by finding that it is not the case for quashment.

5. Hence, in view of the above, this Court opines that the present Criminal Petition cannot be entertained and, accordingly, the same is dismissed.

Consequently, Miscellaneous Petitions, if any, pending in the present Criminal Petition stand closed.

October 29, 2018
Mgr

SMT. T. RAJANI, J

