

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.7534 of 2011

ORDER:

This petition is filed, by the petitioners/A1 to A3, seeking for quash of the proceedings against them in Crime No.145 of 2011 on the file of Tirupati East Police Station, Tirupati Urban District. The offences alleged are under Sections 448 506, 195 r/w 34 IPC.

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

3. The complaint is filed by one Vijaya, who is the 1st respondent herein, stating that on 02.05.2011, the petitioners trespassed into the house of one Bindu Sree, who is none other than the 1st respondent/complainant in Crime No.90 of 2011, which is the subject matter of CrI.P.No.5885 of 2011 in which the proceedings against the accused therein were quashed.

4. The allegations made in this complaint are also made in the complaint filed by Bindu Sree, which was not proved due to the hostility of the said Bindu Sree and other witnesses, who was examined on her behalf in S.C.No.27 of 2014, wherein the accused therein were acquitted.

5. Hence, in view of the above, this court opines that this complaint is only an outcome of the collusion between the complainant in the above crime and the complainant in this crime.

6. In view of the above, this court opines that continuation of further proceedings against this petitioner would only result in abuse of process of law.

7. With the above observations, the Criminal Petition is allowed and the proceedings against the petitioners in Crime No.145 of 2011 on the file of Tirupati East Police Station, Tirupati Urban District, are hereby quashed.

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

September 18, 2018
LMV

T. RAJANI, J