

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.4695 OF 2012

ORDER:

The present Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 is filed by the petitioners - accused Nos.1 to 6 seeking to quash the proceedings against them in Calendar Case No.28 of 2012, on the file of the Judicial Magistrate of First Class, Rajampet, Kadapa District, registered for the offence punishable under Section 324 read with 34 of the Indian Penal Code, 1860 (for short 'IPC').

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor. None appears for respondent No.2.

3. Initially, the crime was registered for the offence under Section 160 IPC, but the charge sheet was laid for the offences punishable under Section 324 read with 34 IPC. The learned counsel for the petitioners submits that some of the persons, involved in the offence, were exonerated from the offence and charge sheet was filed against the petitioners herein only, and he alleges motives against the police officials in deleting the names of some of the persons. But, the charge sheet, which is filed after investigation, *prima facie*, shows that the offences are committed by the accused. Hence, unless a detailed inquiry is taken up, the motives of police officials in deleting the names of some of the persons cannot be brought to light. Therefore, at this stage, it is not safe to quash the proceedings.

4. Accordingly, the present Criminal Petition is dismissed.

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

SMT. T. RAJANI, J

November 06, 2018

Mgr

