

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.1420 of 2011

ORDER:

In this petition filed under Section 482 Cr.P.C, petitioners/A1 to A4 seek to quash the proceedings against them in C.C No. 191 of 2008 on the file of Judicial First Class Magistrate, Pithapuram, East Godavari District, which was taken cognizance for the offences under Sections 451, 427 & 506 r/w 34 IPC (Crime No. 153 of 2008 of Pithapuram Police Station).

2. The submission of learned counsel for petitioners is that the petitioners have not committed any offence and on the other hand with regard to the disputed house property petitioners had already obtained orders from the competent Civil Court in O.S.Nos. 8 of 1998 and 127 of 2008 on the file of Junior Civil Judge, Pithapuram and suppressing the same, the present complaint is filed.

3. It is seen that charge sheet was already filed and case was registered as CC No. 191 of 2008 on the file of Judicial First Class Magistrate, Pithapuram and the same is coming up for framing of charges.

4. In that view of the matter, this Court is not inclined to quash the proceedings at this stage. However, petitioners/A1 to A4 are given liberty to approach the trial Court and seek for their discharge putting forth the defence available to them under law, in which case, the trial Court shall pass an appropriate order on merits at the earliest. The appearance of

petitioners/A1 to A4 is dispensed with before the trial Court except on the occasions when the trial Court requires their attendance.

5. Accordingly, the Criminal Petition is disposed of.

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

U. DURGA PRASAD RAO, J

Date: 03.07.2018

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Note: Furnish copy by tomorrow

