

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.15021 OF 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. by the petitioners-A.4, A.6 and A.7 seeking to quash the proceedings in C.C. No.351 of 2015 on the file of the Chief Metropolitan Magistrate, Vijayawada which was taken cognizance for the offences punishable under Section 384 and 506 IPC.

2. Heard the learned counsel for the petitioners, the learned Assistant Public Prosecutor appearing for respondent-State and perused the record.

3. Learned counsel for the petitioners would submit that there are no allegations against the petitioners-A.4, A.6 and A.7 attracting the offences alleged against them, and that the allegations do not constitute any of the offences alleged against them, and hence, continuation of the impugned proceedings against them is nothing but abuse of process of Court, and ultimately, prayed to quash the impugned proceedings against the petitioners-A.4, A.6 and A.7.

4. On the other hand, the learned Assistant Public Prosecutor opposed the grant of relief sought by the petitioners contending that the allegations would make out a *prima facie* case for the offences alleged against the petitioners.

5. As per the material placed on record viz. the First Information Report, statements of witnesses and charge sheet, there are allegations against the petitioners *prima facie* constituting the offences punishable under Sections

384 and 506 IPC viz. extorting money from L.W.1-Bala by threatening. There is confession of petitioner-A.4 with regard to commission of the offences alleged. Therefore, it is not appropriate to quash the impugned proceedings. The Criminal Petition is devoid of merits and is liable to be dismissed.

6. The Criminal Petition is, accordingly, dismissed.

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

19.02.2018
DRK

DR.SHAMEEM AKTHER, J



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19.2.2018

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