

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1403 OF 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused to quash C.C.No.359 of 2005 on the file of the Special Judge under Prevention of Corruption Act for Speedy Trial of Cases of Embezzlement of Scholarships Amounts in Social Welfare Departments etc., at Nampally, Hyderabad.

2. Heard the learned counsel for the petitioner/accused and the learned Additional Public Prosecutor for respondent No.1-State and perused the record.

3. It has been contended that the trial is not yet completed and the subject criminal case is barred by limitation.

4. As seen from the record, the alleged seizure of blue film cassettes was taken place on 24.09.2002 and the charge sheet was filed on 17.04.2003.

As per Section 468(1) Cr.P.C., no Court shall take cognizance of an offence of the category specified in sub-section (2), after the expiry of period of limitation and as per Section 468(2)(c) Cr.P.C., if the offence is punishable with imprisonment for term exceeding one year but not exceeding three years.

5. The sentence of imprisonment prescribed for the alleged offence is two years. In this case, within one year, charge sheet

was filed and cognizance was taken. Hence, the criminal petition is devoid of merit and is liable to be dismissed.

6. In the result, the Criminal Petition is dismissed.

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

Dr. SHAMEEM AKTHER, J

Date: 11.03.2019
ssp

