

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1915 OF 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioners/accused Nos.3 and 4 to call for the records relating to P.R.C.No.2 of 2019 on the file of Judicial Magistrate of First Class, Vemulawada, and quash the same.

2. Heard the learned counsel for the petitioners/accused Nos.3 and 4, the learned Additional Public Prosecutor appearing for the 1st respondent-State and perused the record.

3. It has been contended that these petitioners/accused Nos.3 and 4 were not present at the time of alleged offence. Furthermore, there is no specific mention of participation of these petitioners/accused Nos.3 and 4 in the alleged offence.

4. It is pertinent to state that this application is filed at P.R.C stage. Even after committal of the case, hearing is contemplated to find out whether there are sufficient grounds to frame charges. These petitioners/accused Nos.3 and 4 also entitled to file an application for discharge and seek the same in accordance with law.

5. When an efficacious remedy is available to the petitioners/accused Nos.3 and 4 under Section 227 Cr.P.C, it is not appropriate to entertain and decide this application under Section 482 Cr.P.C.

6. With these observations, the Criminal Petition is disposed of. Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

Dr. SHAMEEM AKTHER, J

APRIL 10, 2019
YVL



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Date:10.04.2019

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