

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11707 of 2015

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 to A.4, to quash the proceedings in C.C.No.367 of 2015 on the file of the Principal Judicial First Class Magistrate at Jangaon, Warangal District, wherein the petitioners/A.1 to A.4 are being prosecuted for the offences under Sections 427, 452, 323, 290, 180 and 506 read with 34 of IPC.

2. Heard the learned counsel for the petitioners/A.1 to A.4 and the learned Additional Public Prosecutor representing respondent No.1/State. Perused the record.

3. Learned counsel for the petitioners/A.1 to A.4 would contend that when the petitioners went to the college to pay the examination fee, the staff of the college have committed offences; that the staff of the college are the aggressors and that a false report was lodged against the petitioners and ultimately prayed to allow the petition.

4. Learned Additional Public Prosecutor representing respondent No.1/State opposed the relief sought by the petitioners/A.1 to A.4 and ultimately prayed to dismiss the petition.

5. The First Information Report, dated 25.06.2015 reveals that on 24.06.2015 at 2.00 p.m., the petitioner/A.1 went to the college to pay the examination fee. The staff of the college refused to receive the fee in view of the bad character of the petitioner/A.1 and ill-treatment meted out by him to the staff members and also in view of non-attending the college regularly. Then, on that day,

around 3.00 p.m., when the *de facto* complainant was holding a meeting with his staff members, the petitioner/A.1 without any permission trespassed into the office, abused the staff and manhandled them. There are allegations of damaging the furniture of the college and threatening the staff members and the *de facto* complainant with dire consequences against the petitioners/A.1 to A.4. The incident was photographed and videographed. There are direct witnesses to the aforementioned incident. Therefore, filing of the charge sheet for the offences punishable under Sections 427, 452, 323, 290, 180 and 506 read with 34 of IPC cannot be faulted with. The truth or otherwise of the allegations levelled against the petitioners is required to be established after due trial. There are no grounds to quash the said proceedings.

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

Pending Miscellaneous Petitions, if any, shall stand dismissed.

Date: 10.04.2019
ssp

Dr. SHAMEEM AKTHER, J