

**THE HONOURABLE SRI JUSTICE K.SURENDER**

**CRIMINAL PETITION No.5858 OF 2022**

**ORDER :**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner/A4 to quash the proceedings against him in C.C.No.2257/2018 on the file of II Additional Junior Civil Judge-cum-XIX Additional Metropolitan Magistrate, Cyberabad at Malkajgiri. The offences alleged against him are under Sections 448, 427, 323, 509 r/w.34 of the Indian Penal Code.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for respondent State. Perused the record.

3. The 2<sup>nd</sup> respondent filed a complaint against this petitioner who was arrayed as Accused No.4, A1 to A3 and A5 to A8 for the offences under Sections 448, 427, 323, 509 r/w.34 of the Indian Penal Code.

4. Since this petitioner was absconding, the case against this petitioner was split up and learned Junior Civil Judge tried the case against Accused Nos.1 to 3 and A5 to A8 vide C.C.No.852 of 2015. The learned Magistrate has acquitted Accused Nos.1 to 3 and 5 to 8 on 27.03.2019 as evidence was closed on the basis of the report submitted by the police. Even the evidence of Investigating Officer was also closed as the witnesses did turn up. In the said circumstances, the accused were found not guilty and acquitted.

5. The State has not preferred any appeal against the order dt.27.03.2019 passed in C.C.No.82 of 2015. Since the petitioner herein was shown as Accused No.4 and case was split up vide C.C.No.2257 of 2018 and pending on the file of II Additional Junior Civil Judge-cum-XIX Additional Metropolitan Magistrate, Cyberabad at Malkajgiri, no useful purpose would be served in keeping the petition pending, in view of the acquittal order against all other accused.

6. Accordingly, the Criminal Petition is allowed and the proceedings against this petitioner in C.C.No.2257 of 2018 on the file of II Additional Junior Civil Judge-cum-XIX Additional Metropolitan Magistrate, Cyberabad at Malkajgiri, are hereby quashed.

Miscellaneous applications pending, if any, shall stand closed.

Date: 10.02.2023  
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**K.SURENDER, J**

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**Dt. 10.02.2023**

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