

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

CRIMINAL PETITION No. 8456 of 2015

ORDER:

This criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in S.T.C.No.156 of 2014 on the file of the Judicial Magistrate of First Class at Miryalaguda, Nalgonda District. A charge sheet came to be filed against the petitioners herein and others for the offences punishable under Sections 323 and 506 IPC.

Learned counsel for the petitioners submits that as a counter blast to a suit in O.S.No.287 of 2014 on the file of the Senior Civil Judge at Miryalaguda filed by the 1st petitioner against the 2nd respondent and others for declaration of title and partition of property, the 2nd respondent lodged the complaint with false and frivolous allegations. He further submits that the allegations made in the complaint do not constitute the offences alleged.

On the other hand, the learned Public Prosecutor states that specific allegations are made against the petitioners in the complaint and therefore the truth or otherwise of the allegations made against them cannot be gone into at this stage.

A perusal of the complaint and the charge sheet goes to show that specific allegations are made against the petitioners. There is no legal basis for quashing the proceedings in S.T.C.No.156 of 2014, when specific allegations are made against the petitioners. As contended by the learned Public Prosecutor, the truth or otherwise of the allegations made against the petitioners cannot be gone into at this stage.

In view of the above, I see no merit in the criminal petition. However, in the facts and circumstances of the case, the appearance of the petitioners before the Court below is hereby dispensed with except on the dates when their presence is specifically required by the Court.

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions, if any, pending in the criminal petition shall stand dismissed.

A. RAJASHEKER REDDY, J.

7th October, 2015

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