

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.4162 of 2015

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ORDER :

This criminal petition is filed by the petitioners/A.3 and A.4 under Section 482 Cr.P.C seeking to quash the proceedings in C.C.No.881 of 2013 on the file of the Additional Judicial First Class Magistrate at Sangareddy, Medak District, for the offence punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961 (for short, 'the Act').

2. Heard the learned counsel for the petitioners as well as the 1st respondent-State represented by the Public Prosecutor before admission and before ordering any notice to the 2nd respondent and perused the material on record.

3. The learned Magistrate taken cognizance of the offence under Section 498-A IPC and Sections 3 and 4 of the Act against the petitioners/A.3 and A.4 including A.1, who is the husband and A.2-mother-in-law of the *de facto* complainant-2nd respondent herein. On perusal of the material on record falls short to admit the petition under Section 482 Cr.P.C. for quashing of criminal proceedings but for giving liberty to the petitioners to move if there is any material from the prosecution case to consider for discharge by filing a petition under Section 239 Cr.P.C. or otherwise orally before framing of charges under Section 240 Cr.P.C and without prejudice to the rights of the parties and are at liberty to file an application under Rule 37 of Criminal Rules of Practice before the learned Magistrate and on such application the learned Magistrate shall hear and permit one of the accused to represent the other accused persons.

4. With the above observation, the criminal petition is disposed of.

5. Miscellaneous petitions pending, if any, shall stand dismissed

Dr. B. SIVA SANKARA RAO, J

10th June 2015.

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