

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Crl.P. No.8349 of 2015

ORDER :

This Criminal Petition is filed by the petitioners/ accused Nos.2 to 4 in Crime No.729 of 2015 of Uppal Police Station, Cyberabad, outcome of report of 2nd respondent—de facto complainant, registered for the offences punishable under Sections 498-A, 354-A, 341 and 506 IPC and Sections 3 & 4 of D.P Act.

2) Heard learned counsel for the petitioners/ accused Nos.2 to 4 and 2 as well as 1st respondent—State represented by learned Public prosecutor before admission and before ordering notice to 2nd respondent—de facto complainant. Perused the material on record.

3) It is the contention of the learned counsel for the petitioners that the said report is nothing but abuse of process of law in bringing within the four corners of Section 498-A IPC to say there is prima facie accusation against the petitioners/ accused Nos.1 to 3, besides the accusation under Section 354-A IPC so far as accused No.4 is concerned. No doubt, as can be seen from the cause title, the petitioner Nos.1 and 2/ accused Nos.2 and 3 are residents of East Godavari District and it is submitted by learned counsel for petitioners that the allegations are introduced against them.

Having regard to the above and taking into consideration of the fact that accused Nos.2 and 3 are residents of East Godavari District and Accused No.2 is senior citizen and since accused No.1 was already enlarged on bail, for no grounds to admit the application filed under Section 482 Cr.P.C, the Criminal Petition is disposed of, giving liberty to petitioner Nos.1 and 2/ accused Nos.2 and 3 to surrender before the learned Magistrate concerned and move for regular bail

with notice to additional public prosecutor concerned and in such an event, the learned Magistrate shall grant bail with necessary conditions on the same day. Needless to say at post bail stage, the presence of the petitioner Nos.1 and 2/ accused Nos.2 and 3 before the learned Magistrate may be dispensed with. Further remedy is left open in the event of police filing final report and after taking cognizance by the learned committal Magistrate.

4) So far as the petitioner No.3/ accused No.4 is concerned, the Criminal Petition is dismissed.

5) Miscellaneous petitions, if any pending in this Criminal Petition, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

01.09.2015
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HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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