

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.9285 of 2015

ORDER :

This Criminal Petition is filed by the Petitioners/ accused Nos.1, 2, 5 and 6 under Section 482 Cr.P.C seeking to quash the Crime No.170 of 2015 of Kanchikacherla Police Station, Krishna District, registered for the offences punishable under Sections 307, 498-A r/w 34 IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961.

2) Heard learned counsel for the petitioners/ accused Nos.1, 2, 5 and 6 and 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 including the contents of report of the alleged issue on the accused No.1 by de facto complainant to smothering by using a pillow in order to do away apart from other allegations regarding 498-A IPC in relating to offence under Section 307 IPC. So far as the offence under Section 307 IPC is concerned, there is no allegation against petitioner Nos.2 to 4/ accused Nos.2, 5 and 6.

3) Having regard to the above, as the facts falls short for this Court to admit the Criminal Petition filed under Section 482 Cr.P.C to quash the FIR proceedings so far as petitioner Nos.2 to 4/ accused Nos.2, 5 and 6 are concerned, but for to the entitlement of concession of regular bail, the Criminal Petition is disposed of, giving liberty to petitioner Nos.2 to 4/ accused Nos.2, 5 and 6 to surrender before the learned Magistrate concerned and move for regular bail with notice to assistant public prosecutor concerned and in such event, the learned Magistrate shall grant bail with necessary conditions on the same day. Needless to say, at post bail stage, pending investigation their presence before the Court concerned can be dispensed with. Further remedies are left open to them, in the event of police filing final report and after taking cognizance by the learned Magistrate.

4) So far as the petitioner No.1/ accused No.1 is concerned,
this Criminal Petition is dismissed.

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

Dr. B. SIVA SANKARA RAO, J

Dt.10.09.2015
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HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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