

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

CRIMINAL PETITION Nos.6835 & 7020 of 2015

CRL.P.No.6835 of 2015

-

Between:

Vallabhaneni Jyothi

... Petitioner

and

The State of Andhra Pradesh rep. by the Public Prosecutor
and another

... Respondents

CRL.P.No.7020 of 2015

-

Between:

Bezawada Suresh

... Petitioner

and

The State of Andhra Pradesh rep. by the Public Prosecutor
and another

... Respondents

DATE OF JUDGEMENT PRONOUNCED: 10-08-2015

SUBMITTED FOR APPROVAL:

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? Yes/No
2. Whether the copies of judgment may be
marked to Law Reporters/Journals? Yes/No

3. Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? Yes/No

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO
CRIMINAL PETITION Nos.6835 & 7020 of 2015

-
COMMON ORDER :

These Criminal Petitions are filed by the Petitioners/Accused Nos.4 and 5 under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.403 of 2014 on the file of I Additional Judicial Magistrate of the First class, Sattenapalli, Guntur District which is the outcome of Crime No.204 of 2012 of Sattenapalli Town Police Station registered for the offences punishable under Sections 498-A and 109 I.P.C.

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

3) On perusal of the material on record, the facts fall short for this Court to admit the applications filed under Section 482 Cr.P.C for no Part-II C.D. filed nor taken a ground regarding cognizance, outcome of non-application of judicial mind. Having regard to the same, these applications are disposed of giving liberty to file an application under Section 239 Cr.P.C if there are no grounds for Section 240

Cr.P.C for the learned Magistrate to decide on merits basing on the prosecution material only as per the expression of the Apex Court in ***State of Orissa V. Debendranath Padhi***^[1]. Needless to say if the petitioners file any application under Section 205 Cr.P.C to represent through special vakalat or under Rule 37 Criminal Rules of Practice for one to represent others, the learned Magistrate shall consider and pass orders with necessary conditions including personal appearance as and when required. Further remedies, if any, to the petitioners are left open.

4) With the above observations, the Criminal Petition is disposed. Consequently, the miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.10th August, 2015

KSH

^[1] (2005)1 SCC 568