

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Criminal Petition No.15461 of 2014

ORDER:

In this petition filed under Section 482 Cr.P.C, the petitioner/accused seeks to quash the proceedings in FIR No.361 of 2014 on the file of Nunna PS, Vijayawada City.

2) The brief facts of the complaint allegations are that the *defacto* complainant was studying 1st year B.Tech in SRM University during the relevant period of offence and the accused completed B.Tech. They met during the marriage of cousin brother of the complainant as the accused is the cousin brother of the bride and hence they are distant relations. Later, intimacy developed between them and the accused with his overtures of love, deceived her with a false promise of marrying her and had repeated sexual intercourse with her and eventually when she became pregnant, got her aborted and when she requested him to marry her, he refused. Thus on the report given by the *defacto* complainant, the Police of Nunna P.S, Vijayawada City registered FIR No.361 of 2014 against accused for the offences under Sec.343, 376(2)(n), 313, 506 IPC and investigating the matter.

3) When the matter came up for hearing, learned Public Prosecutor submitted that the police have filed charge-sheet in the mean while.

4) Heard both sides.

5) A perusal of the charge-sheet allegations would show a strong *prima facie* case against the accused. The offence alleged is a heinous one covering the charge under Section 376(2)(n) IPC. The petitioner seeks quashment on the ground that all the allegations are false. The truth or falsity of the allegations in the considered view of this Court can only be decided after full-fledged trial. Hence, having regard to the gravity of the offence, it is not a fit case to quash the proceedings.

6) In the result, this Criminal Petition is accordingly dismissed.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.

U.DURGA PRASAD RAO, J

Date: 09-02-2015

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