

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO
CRIMINAL PETITION No.7424 of 2015

ORDER :

This Criminal Petition is filed by the Petitioners/Accused Nos.1 to 3 under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.2036 of 2014 on the file of II Additional Junior Civil Judge-cum-XIX Metropolitan Magistrate, Kukatpally at Miyapur which is the outcome of Crime No.989 of 2013 registered at the instance of the 2nd respondent registered for the offences punishable under Section 498-A I.P.C and Sections 3 and 4 of the Dowry Prohibition Act.

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) It is the contention of the learned counsel for the petitioners that the allegations in the charge sheet taken cognizance by the learned Magistrate as vague as anything and there is no worth accusation against any of the accused and it is the abuse of process to continue the calendar case proceedings and hence liable to be quashed.

4) It is also drawn attention of the Court including to the statements of L.W-5 so called independent witness saying he did not speak anything about the beating but for

altercation which falls short to take cognizance for the alleged offences.

5) A perusal of the record shows there is a prima facie accusation but in fact it is fall short for this Court to admit the application for quashing the charge sheet proceedings taking cognizance by the learned Magistrate.

6) Having regard to the above, the Criminal Petition is disposed of for no grounds even to admit, however by permitting the request of the learned counsel for the petitioners in directing the trial Court to permit one of the petitioners to represent other petitioners on filing an application under Rule 37 of Criminal Rules of Practice during trial with necessary conditions including personal appearance as and when required.

7) Consequently, the miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.24th August, 2015

KSH