

*** HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO**

+ CRIMINAL PETITION No.4484 of 2014

%Dated 11-09-2015

Pattipati Vijayalakshmi and another
....Petitioners/ Accused Nos.1 and 3

VERSUS

\$ Kotah Laxmi Tulasi and another
... Respondents/ De facto complainant

! Counsel for Petitioners : Sri K.Surender

^ Counsel for respondents : 1) Sri M.Srinivasa Rao
2) Public Prosecutor (T.G)

< GIST :

> HEAD NOTE :

? Cases referred :

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CRIMINAL PETITION No.4484 of 2014

ORDER :

The Criminal Petition is filed by Petitioners/ Accused

Nos.1 and 3 under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.185 of 2013 on the file of Judicial Magistrate of First Class, at Madhira, where the learned Magistrate has taken cognizance for the offences punishable under Sections 427, 448, 323, 294 (b) r/w 34 IPC, which is outcome of report of 1st respondent—de facto complainant in Crime No.13 of 2013 of Madhira Town Police Station, Khammam District.

2) Heard the learned counsel for the petitioners/accused Nos.1 and 3 and also 2nd respondent—State represented by learned public prosecutor, before admission and before issuing notice to the 1st respondent—de facto complainant and perused the material on record.

3) As the facts falls short for this Court to quash the proceedings in C.C. No.185 of 2013 on the file of Judicial Magistrate of First Class at Madhira, Khammam District, the Criminal Petition is disposed of, giving liberty to petitioners to file an application under Section 258 Cr.P.C before the learned Magistrate, if there are no grounds to continue the proceedings to pass orders for stopping the proceedings. Needless to say the petitioner is at liberty to file an application under Rule 37 Cr.R.P to represent one among other accused, learned Magistrate shall hear and permit with necessary orders.

4) As a sequel, miscellaneous petitions pending, if

any, in the above criminal petitions shall stand closed.

Dr. B. SIVA SANKARA RAO, J

11.09.2015

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