

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

TUESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND FIFTEEN

PRESENT
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.5595 of 2015

Between:

Gajula Sathish

..... PETITIONER/A7

AND

The State of Telangana, rep.by its
Public Prosecutor and another

.....RESPONDENTS

The Court made the following:

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.5595 of 2015

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in C.C.No.208 of 2014 on the file of the Judicial First Class Magistrate, Bellampally.

Heard the learned counsel appearing for the petitioner/A7 and the learned Additional Public Prosecutor, representing the State.

The allegations mentioned in the charge sheet clearly reveal a *prima facie* case against the petitioner/A7 and other non-

petitioners/accused for the offences punishable under Sections 498A IPC and under sections 3 & 4 of Dowry Prohibition Act. The truth or otherwise of the allegations can only be decided during course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I absolutely see no valid ground to quash the charge sheet.

Learned counsel for the petitioner/A7 submits that the Court below issued non-bailable warrant against the petitioner/A7 and the same is pending, and he further submits that petitioner/A7 is an employee and it will be difficult for him to attend for each and every adjournment in the above case and prays that the warrant pending against the petitioner/A7 may be recalled and presence of the petitioner/A7 may be dispensed with.

In the circumstances, the petitioner/A7 is directed to surrender before the Court below and file appropriate application to recall the warrant, and in such an event, the Court below shall dispose of the same on the same day on which it is filed on reasonable terms, in accordance with law. Thereafter, the Court below shall not insist for the presence of petitioner/A7 for each and every adjournment, unless it feels that his physical presence is necessary for any specific purpose.

The Criminal Petition is accordingly disposed of.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 30.06.2015

Dsr