

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.8041 of 2015

ORDER :

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This Criminal Petition is filed by the Petitioners/ accused Nos.2 to 4 under Section 482 Cr.P.C seeking to quash the proceedings in C.C No.158 of 2015 on the file of XV Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, where the learned Magistrate has taken cognizance for the offence punishable under Section 498-A IPC and Sections 4 & 6 of D.P Act, which is outcome of report of 2nd respondent—de facto complainant in Crime No.186 of 2014 of Women Police Station, South zone, Charminar Division, Hyderabad.

2) Heard learned counsel for the petitioners/ accused Nos.2 to 4 as well as 1st respondent—State represented by learned public prosecutor representing before admission and before ordering notice to respondent No.2. Perused the material on record.

3) As the material falls short for this Court to admit the application filed under Section 482 Cr.P.C to quash the calender case proceedings, the same is disposed of, giving liberty to petitioners to file an application to discharge under Section 239 r/w 240 Cr.P.C, the learned Magistrate shall consider only from the prosecution material vide **State of Orissa vs. Debendra Nath Padhi**^[1]. Needless to say, in

the event of filing any application under Rule 37 Cr.R.P on behalf of the accused for one to represent others, the learned Magistrate shall consider and permit with necessary conditions including personal appearance as and when required.

4) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.02.09.2015
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Date: 02.09.2015

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