

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.10812 of 2013

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ORDER :

The petitioners who are accused Nos.2 to 4 in Crime No.132 of 2013 on the file of Markapur Town Police Station, Prakasam District, registered for the offences punishable under Sections 355, 426, 500, 501, 505, 509 r/w 34 IPC, filed this petition under Section 482 of Cr.P.C., seeking to quash the proceedings against them.

A.1 is the husband of the de facto complainant-first respondent herein. A.2 & A.3 are the brothers and A.4 is the sister of A.1. In the entire complaint, the main allegations are only against the A.1, who is the husband of the complainant. Except the bold allegation that the petitioners herein used to harass the complainant for additional dowry of Rs.30.00 lakhs and that they treated her with cruelty and instigated A.1 to send messages to her cell phone and her father phone by using unparliamentary language, nothing is alleged against them. Further regarding the said allegations, police also investigated in another case filed by the complainant. Prima facie, to substantiate the allegation of instigation made by these petitioners, there is no evidence or material. Hence, the impugned proceedings are liable to be quashed against these petitioners.

In the result, the Criminal Petition is allowed and the impugned proceedings in Crime No.132 of 2013 on the file of Markapur Town Police Station, Prakasam District are hereby quashed as against the petitioners herein.

Pending Miscellaneous Petitions, if any, shall stand closed.

JUSTICE RAJA ELANGO

30th September, 2015

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