

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.8385 of 2015

ORDER :

The present criminal petition is filed by the petitioners/A1 to A5 under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.198 of 2015 on the file of the Court of Judicial First Class Magistrate, Nidadavole, West Godavari District.

2) The learned Magistrate has taken cognizance of the aforesaid case registered against the petitioners for the offences punishable under Sections 498A and 506 read with Section 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act, based on the final report of the police, which is the outcome of Crime No.21/2015 of Chagallu Police Station, West Godavari District.

3) Heard the learned counsel for the petitioners as well as the 1st respondent-State represented by the Public Prosecutor before admission and before ordering notice to the second respondent and perused the material on record.

4) On perusal of the material on record, the facts fall short to admit the criminal petition to quash the proceedings in the Calendar Case.

5) In the result, this Criminal Petition is disposed of, giving liberty to the petitioners/A1 to A5 to file an

application under Section 239 Cr.P.C. before the trial Court, if there are no grounds to frame charge under Section 240 Cr.P.C, to consider in the course of hearing the charges under Sections 239 and 240 Cr.P.C. In the event of framing charges, further remedies, if any, are left open to the petitioners. Needless to say if any application is filed on behalf of the petitioners/A1 to A5, for one to represent the other, under Rule 37 Criminal Rules of Practice, the learned Magistrate shall hear and permit with necessary conditions of personal appearance as and when required.

Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

03.09.2015
MVA