

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.4186 OF 2015

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ORDER:

This Criminal Petition is filed by the petitioners/A2 and A3 under Section 482 Cr.P.C seeking to quash the proceedings in C.C.No.838 of 2013 on the file of XIV Metropolitan Magistrate, Cyberabad at L.B.Nagar, in connection with Crime No.172 of 2011 of Pahadi Shareef Police Station for the offence punishable under Sections 447 and 427 r/w 34 I.P.C.

Heard the learned counsel for the petitioners and the learned Public Prosecutor (Telangana) for the State before notice to respondent No.2/*de facto* complainant and before admission.

Perused the material on record. As the material falls short for this Court, even to admit the petition impugning the cognizance taken of the offence against the petitioners and others by the learned Magistrate from the charge sheet filed by the police, this application is disposed of giving liberty to the petitioners if at all any material to file application under section 258 Cr.P.C. to hear and consider the same with reference to the prosecution material only and to pass appropriate orders. Needless to say from the submission that A1 is at liberty and yet to be apprehended and the petitioners are spinsters and facing the ordeal of attending every adjournment with no progress of the case, the learned Magistrate shall consider by invoking section 317(2) Cr.P.C. to separate (split up) the case to proceed against them and also consider to permit the petitioners to be represented through special vakalat holders in the event of filing such application under Section 205 Cr.P.C.

Accordingly, this Criminal Petition is disposed of.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 10-06-2015

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