

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.10119 of 2015

ORDER :

This petition is filed by the petitioner/A-1 under section 482 Cr.P.C seeking to quash the proceedings in C.C. No.279 of 2012 on the file of VI Additional Junior Civil Judge, Guntur, where the learned Magistrate has taken cognizance including against the petitioner among five accused for the offences punishable under Section 498-A I.P.C.

2) Heard the learned counsel for the petitioner and also the 1st respondent-State represented by the Public Prosecutor before admission, before ordering notice to the 2nd respondent/defacto-complainant and perused the material on record.

3) A perusal of the entire case material, which falls short for this Court even to admit the quash petition and hence disposed of the same giving liberty to the petitioner along with other accused or otherwise to file a petition under Section 239 Cr.P.C if there are no grounds to frame charge under Section 240 Cr.P.C if the charges not framed so far, from what the counsel submits. Needless to say that if any application filed by the petitioner under Section 205 Cr.P.C to represent through Special Vakalat holder or along with other accused under Rule 37 of

Criminal Rules of Practice, the learned Magistrate shall hear and permit with necessary conditions including of personal appearance as and when required.

4) With the above observations, the criminal petition is disposed of. Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

29.10.2015
ksh