

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.5350 of 2015

ORDER :

This Criminal Petition is filed by the Petitioner/ accused under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.222 of 2015 on the file of Judicial Magistrate of First Class at Kalwakurthy, Mahaboobnagar District, registered for the offences punishable under Sections 353, 504, 506 IPC.

2) Heard learned counsel for the petitioner/ accused as well as learned public prosecutor representing 1st respondent—State before admission and before ordering notice to 2nd respondent. Perused the material on record.

3) As the material falls short for this Court to admit the application under Section 482 Cr.P.C, the same is disposed of giving liberty to petitioner to approach the trial Court by filing an application under Section 258 Cr.P.C. If at all there is no material for the trial Court to proceed with the case against the accused taken cognizance for the offences, to stop the proceedings otherwise to examine under Section 251 Cr.P.C and proceed with trial. It is needless to say any further remedy is left open and if the petitioner wants to be represented through Special Vakalath holder under Section 205 Cr.P.C, the remedy is left open to him to approach the trial Court and in such event, the trial Court shall consider the application and permit him including

by taking into consideration of so called delay in reporting the occurrence as alleging to be the outcome of due deliberations and fabrications and to serve as a counter blast from 498-A case in C.C No.179 of 2011 filed by the daughter of the accused herein, no other than wife of the de facto complainant apprehending that the petitioner herein being a witness there in his behalf.

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

Dr. B. SIVA SANKARA RAO, J

Dt.26.06.2015
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HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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Date: 26.06.2015

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