

THE HON'BLE SRI JUSTICE M.S.K. JAISWAL

Criminal Petition No. 6229 of 2015

Order:

This Criminal Petition is filed, under Section 482 of the Code of Criminal Procedure, 1973, by the petitioner/A1, seeking to quash the proceedings pending against him in C.C. No. 460 of 2010 on the file of the learned Judicial Magistrate of First Class, Nidadavole, for the offences punishable under Sections 448 and 323 read with 34 IPC.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

3. The allegations against the petitioner/A1 are that on the date of incident he along with A2 to A5 went to the house of the second respondent/*de facto* complainant and enquired about her sister Varalakshmi and, having not satisfied with the reply given by her, they all threatened her with dire consequences and outraged her modesty. Taking into consideration the nature of allegations and the averments made in the charge sheet, I do not think it proper to quash the proceedings against the petitioner/A1.

4. At this stage, learned counsel for the petitioner/A1 submits that the petitioner/A1 is working as Mandal Praja Parishad Development Officer, Dammapeta, Khammam District, and it will be difficult for him to attend for each and every adjournment in the above case and prays that the presence of the petitioner/A1 may be dispensed with.

5. The Criminal Petition is, accordingly, dismissed. However, the learned Judicial Magistrate of First Class, Nidadavole, is directed to proceed with the case in C.C. No. 460 of 2010 without insisting for the presence of the petitioner/A1 herein for each and every adjournment, unless his presence is necessary for any specific purpose.

6. As a sequel thereto, the miscellaneous applications, if any,

pending in the Criminal Petition shall stand closed.

M.S.K. JAISWAL, J.

Date: 14.07.2015
Nsr