

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

TUESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND FIFTEEN

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

CRIMINAL PETITION No.5538 of 2015

Between:

Gangipogu Prabhu and another

..... PETITIONERS/A4 & A5

AND

The State of A.P, rep.by its
Public Prosecutor and another

.....RESPONDENTS

The Court made the following:

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

CRIMINAL PETITION No.5538 of 2015

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in C.C.No.6 of 2012 on the file of the II Additional Judicial First Class Magistrate, Kovvur, West Godavari District.

Heard the learned counsel appearing for the petitioners/A4 & A5 and the learned Additional Public Prosecutor, representing the State.

The allegations mentioned in the charge sheet clearly reveal a *prima facie* case against the petitioners/A4 & A5 for the offences punishable under Sections 498A and 506(2) r/w.Sec.34 IPC. The truth or otherwise of the allegations can only be decided during course of trial. This Court is not

supposed to make a roving enquiry into the allegations in the charge sheet. I absolutely see no valid ground to quash the charge sheet.

Learned counsel for the petitioners/A4 & A5 submits that the petitioners/A4 & A5 are residents of Chennai and it will be difficult for them to attend for each and every adjournment in the above case and prays that the presence of the petitioners/A4 & A5 may be dispensed with.

The Criminal Petition is accordingly dismissed. The Court below shall not insist for the presence of petitioners/A4 & A5 for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 30.06.2015
Dsr