

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**  
**CRIMINAL PETITION No.2264 OF 2016**

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**ORDER:**

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This petition is filed by the petitioners-A2 to A5 under Section 482 Cr.P.C. seeking to quash the proceedings against them in C.C.No.474 of 2015 on the file of the XV Additional Chief Metropolitan Magistrate, Hyderabad at Nampally.

Heard and perused the material available on record.

The petitioners are alleged to have committed the offence punishable under Sections 498-A and 420 IPC and Sections 4 and 6 of the Dowry Prohibition Act.

It is the case of the petitioners that the 1<sup>st</sup> respondent filed a private complaint before the XV Additional Chief Metropolitan Magistrate, Hyderabad, and as the same was referred to the police, a case in Crime No.30/12 was registered against the petitioners and A1 and after filing of the charge sheet, it was numbered as C.C.No.474 of 2015 and that the 1<sup>st</sup> respondent lodged another private complaint and on reference, the same was registered as a case in Crime No.130 of 2014 and after filing of the charge sheet, the same was numbered as C.C.No.228 of 2015. It is stated that the allegations in both the cases are one and the same and that the same Magistrate has referred both the cases to the same police station against the same accused. It is further stated that since seven years, the 1<sup>st</sup> respondent and A1 are residing separately.

The above grounds raised by the petitioners are the points to be determined by the trial Court. The petitioners are at liberty to file an application before the trial Court in C.C.No.474 of 2015 raising all the above grounds and seeking discharge. On such application being filed, the trial Court is directed to dispose of the same in accordance with law. Till disposal of such discharge application, the presence of the petitioners before the trial Court is dispensed with. If the petitioners

fail in the discharge application, they are at liberty to challenge the same before the appropriate Court.

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

**JUSTICE RAJA ELANGO**

Date : 24.2.2016

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**HONOURABLE SRI JUSTICE RAJA ELANGO**

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**DATED 24.2.2016**

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