

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.15348 OF 2016

ORDER:

This Criminal Petition is filed under Section 482 of Cr.P.C. to quash the proceedings in C.C.No.237 of 2016 pending on the file of IV Additional Judicial Magistrate of I Class, Tirupathi, for the offences punishable under Sections 498-A and 420 of I.P.C. and Sections and 4 of Dowry Prohibition Act.

Petitioner herein is A.1.

The allegations made in the charge sheet on its face value would go to show that petitioners subjected the first respondent-defacto complainant to cruelty while demanding payment of additional dowry of Rs.5,00,000/- from her parents and got aborted while she was carrying pregnancy of 10 weeks.

This itself would constitute an offence punishable under Section 498-A of I.P.C. if proved. Therefore, it is not a fit case to quash proceedings at this stage.

However, at this stage, counsel for the petitioner requested this court to dispense with the presence of the petitioner before IV Additional Judicial Magistrate of I Class, Tirupathi. But I deem it fit to issue a direction to the learned IV Additional Judicial Magistrate of I Class, Tirupathi to decide the application on the same day itself, if filed under Section 205 of Cr.P.C. or any other provision by the petitioner before the said court after issuing notice to the Public Prosecutor.

Accordingly, this Criminal Petition is disposed of with a direction to the learned IV Additional Judicial Magistrate of

I Class, Tirupathi to decide the application on the same day itself, if filed under Section 205 of Cr.P.C. or any other provision by the petitioner before the said court after issuing notice to the Public Prosecutor.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

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JUSTICE M.SATYANARAYANA MURTHY

Dated 28-10-2016.

Dvs.



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Dated 28-10-2016.

Dvs