

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.1770 OF 2016

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ORDER:

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This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings against him in C.C.No.519 of 2015 on the file of the Judicial First Class Magistrate at Nakrekal.

Heard.

The petitioner is alleged to have committed the offence punishable under Sections 354(a), 354(d) and 506 IPC. It is alleged that the petitioner used to threaten the de facto complainant and he caught hold of her hand and used criminal force with an intention to outrage her modesty.

The grounds raised by the learned Counsel for the petitioner are that the de facto complainant and the petitioner are very close to each other and due to money disputes between them, the present complaint was lodged and the present complaint is based on political rivalry.

The truth or otherwise of the above grounds cannot be decided by this Court and it can only be decided by the trial Court. The petitioner is at liberty to raise all the above grounds before the trial Court. Therefore, this Court is not inclined to grant the relief sought in this petition.

At this stage, the learned Counsel for the petitioner has prayed for dispensing with the presence of the petitioner before the Court below.

In view of the above submission, the presence of the petitioner before the Court below is dispensed with, except on the dates when his presence is insisted by the Court below. The petitioner shall be represented before the Court below by a Counsel on all hearing dates.

With the above direction, the Criminal Petition is disposed of. Consequently, the Miscellaneous Petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date: 18.02.2016

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