

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.14879 OF 2014

ORDER:

-

-

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioner/sole accused seeking to quash the proceedings in C.C.No.802 of 2011 on the file of the VI Metropolitan Magistrate, Cyberabad at Medchal, Ranga Reddy District.

2. Case of the prosecution is that on 28.8.2011, at 1500 hours, one Mallesh, who is the brother of respondent No.2/*de facto* complainant, along with his family members was proceeding to a hospital in his Tata India Car bearing No.AP-10/AD-8027. On the way, when they reached in front of Mathasri Marble shop, Thumkunta Village on Rajiv Rahadhari, a car bearing No. AP-05/AN-2525, which was proceeding from Hyderabad to Siddipet side in a rash and negligent manner, dashed the Tata Indica Car from opposite direction due to which, the travellers of Indica car sustained bleeding injuries and both the cars were damaged. Basing on the complaint given by respondent No.2 herein, a case in Crime No.223 of 2011 of Shameerpet Police Station, Cyberabad was registered for the offence punishable under Section 337 I.P.C.

3. Heard and perused the material on record.

4. The main grievance of the petitioner herein is that for the same occurrence, he lodged a complaint and the same was referred as false by the concerned police. Aggrieved by the same, he preferred a protest petition and on the basis of the protest petition and examination of witnesses, the learned Magistrate has taken cognizance against respondent No.2 herein/*de facto* complainant and the same is numbered as C.C.No.694 of 2011 on the file of the VI Metropolitan Magistrate, Cyberabad at Medchal. It is the further grievance of the petitioner that actually, he is the person, who sustained the injuries, and the police have not properly investigated the case

and filed charge sheet against him.

5. Considering the facts and circumstances of the case and the material available on record, in the interest of justice, the VI Metropolitan Magistrate, Cyberabad at Medchal is directed to conduct trial simultaneously in C.C.No.802 of 2011 and C.C.No.694 of 2011 pending before him and to pass judgment on the same day in accordance with law. Meanwhile, the presence of the petitioner before the trial Court is dispensed with except on the dates when the learned Magistrate insists for his appearance for identification purpose and for the purpose of questioning under Section 313 Cr.P.C.

6. Accordingly, the Criminal Petition is disposed of.

7. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

25.02.2016

AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

-

-

-

-
-
-
-
-
-
-
-
-
-
-
-
-
-

-
-
-
-
-
-
-
-
-
-
-
-
-
-

-
-
-
-
-
-
-
-
-

CRIMINAL PETITION No.14879 OF 2014

-
-
-

Date: 25.02.2016

AMD