

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4896 OF 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in M.C.No.408 of 2015 on the file of the Additional Family Court-cum-IX Additional Metropolitan Sessions Judge, Nampally, Hyderabad.

Heard and perused the material available on record.

The only point raised by the learned counsel for the petitioner is that the respondents 2 and 3 have already availed the remedy by way of filing D.V.C.No.40 of 2014 and again filing the M.C.No.408 of 2015 seeking maintenance under Section 125 of CrPC., is abuse of process of law and as such, the proceedings are liable to be quashed. This Court is of the view that the respondents 2 and 3 can avail the remedy of filing the petition under Section 125 of CrPC and as such, this Court is not inclined to interfere with the proceedings initiated against the petitioner.

The Criminal Petition is accordingly dismissed. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

06.04.2016

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