

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4609 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners in C.C.No.373 of 2016 pending on the file of XXV Metropolitan Magistrate, Kukatpalli at Miyapur arising out of Crime No.427 of 2016 of Madhapur Police Station, Cyberabad, Ranga Reddy District, registered for the offences punishable under Sections 498 A, 406, and 506 IPC and Sections 3, 4 and 6 of Dowry Prohibition Act.

Heard the learned counsel for the petitioner/accused and the learned Public Prosecutor and perused the material on record.

The only grievance of the petitioners is that as per the provisions of Sections 177 and 178 Cr.P.C., the Court where C.C. is pending has no jurisdiction to proceed with the case as no occurrence has taken place within the jurisdiction of the Court.

Having regard to the facts and circumstances of the case, this Court is of the view that if that is the case of the petitioner, the petitioners are at liberty to approach before the Court where the case is pending and to file an application for discharging them from the charges levelled against them by raising all the questions as raised herein and on such application being filed, the trial Court shall consider the same and pass appropriate orders in accordance with law keeping in view of the provisions of Section 177 and 178 Cr.P.C. in relation to jurisdiction of the Court.

Subject to the above direction, the criminal petition is disposed of. However, it is made clear that till disposal of such

discharge application, the presence of the petitioners is dispensed with except on the dates of framing of charges, examination under Section 313 Cr.P.C. and also on the date of pronouncement of judgment. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 04-04-2016

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