

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.8223 of 2016

ORDER

This Criminal Petition is filed under Section 482 Cr.P.C. to quash the proceedings in C.C.No.224 of 2016 on the file of the II Additional Judicial Magistrate of First Class, Tanuku, West Godavari District.

2. Heard the learned counsel appearing for the petitioners/accused Nos.1 to 5 and the learned Additional Public Prosecutor representing the State.

3. It appears from the complaint that the respondent/*de facto* complainant made a specific complaint against the petitioners under Sections 448, 353, 427, 290 and 506 r/w 34 IPC. It further appears that on the basis of the said complaint, a specific police case was initiated, which culminated into filing of a charge sheet. The truth or otherwise of the allegations can only be decided during the course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I absolutely see no valid ground to quash the charge sheet.

4. From a perusal of the record, it cannot be said that there is no material to proceed against the petitioners/accused Nos.1 to 5.

5. In that view of the matter, the Criminal Petition is disposed of directing the learned Magistrate to proceed with the trial in C.C.No.224 of 2016 without insisting for the presence of petitioner Nos.2 to 5/accused Nos.2 to 5 only on each and every adjournment, unless it feels that their presence is necessary for any specific purpose. Further more, the learned Magistrate is also directed to dispose of the case within a period of six months from today.

6. Pending miscellaneous applications, if any, shall stand

closed in consequence.

Date: 16.06.2016
siva

M.S.K.JAISWAL,J