

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.8403 of 2012

ORDER:

This Criminal Petition is filed by the petitioners – accused under Section 482 Cr.P.C., to quash the proceedings against them in Crime No.275 of 2010 on the file of Town Police Station, Dharmavaram, Anantapur District, registered for the offences punishable under Sections 323, 353, 383, 384, 500 and 506 IPC.

The 1st petitioner is the second wife of the 2nd respondent. She filed a case against the 2nd respondent for the offences under Sections 498-A IPC and 3 & 4 of the Dowry Prohibition Act and a divorce petition and also a maintenance case before the Family Court, Tirupathi against the 2nd respondent. The 2nd respondent lodged the above complaint against the 1st petitioner and the other petitioners, who are brothers and sister of the 1st petitioner, alleging that the 1st petitioner is behaving very ugly with him and she used beat him and also shouting loudly with an intention to extract money from him, and the other petitioners are influencing her to do so.

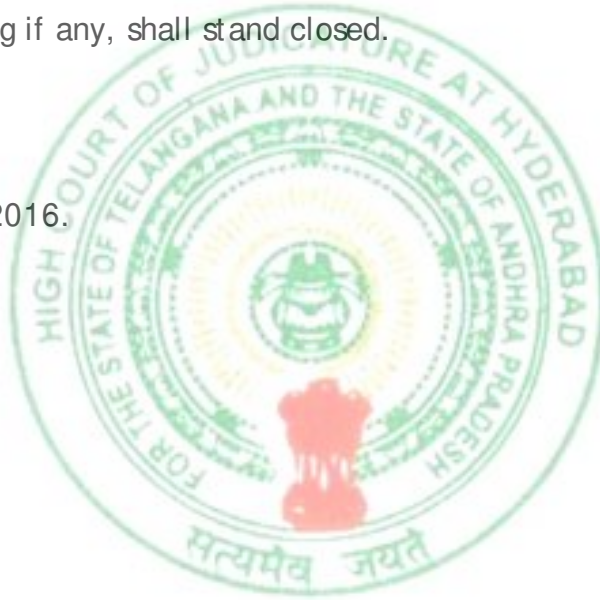
Heard and perused the material available on record.

Learned counsel for the petitioners submits that the allegations made in the complaint are absolutely false and in fact, the 2nd respondent used to harass the 1st petitioner demanding additional dowry and he has illicit intimacy with his crippled brother's wife and the 1st petitioner vexed with the behaviour of the 2nd respondent and lodged criminal case, divorce petition and maintenance case against the 2nd respondent and as a counter blast to the same, the present complaint is lodged by the 2nd respondent, and that the petitioners 2 to 4 are not at all residing with the 1st petitioner and they never influenced her to harass the 2nd respondent and hence, he prays to allow the petition.

A reading of the entire complaint does not disclose any material facts, which necessitates the 2nd respondent to lodge the present complaint. No specific dates or time and also the exact allegations are mentioned in the complaint. Admittedly, number of cases are pending between the 1st petitioner and the 2nd respondent. Considering the above facts and circumstances of the case, this Court is of the view that the proceedings against the petitioners in the above crime are liable to be quashed.

Accordingly, the Criminal Petition is allowed and the proceedings in Crime No.275 of 2010 on the file of the Town Police Station, Dharmavaram, Anantpur District, against the petitioners are hereby quashed. Miscellaneous Petitions, pending if any, shall stand closed.

September 23, 2016.
KTL



RAJA ELANGO, J