

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2220 OF 2016

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ORDER:
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This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings against him in S.C.No.556 of 2015 on the file of the Assistant Sessions Judge, Hindupur.

Heard and perused the material available on record.

The petitioner is alleged to have committed the offence punishable under Sections 498-A and 307 IPC and Sections 3 and 4 of the Dowry Prohibition Act.

It is the case of the petitioner that the 2nd respondent is his second wife and she has illegal intimacy with another person and he secured the messages sent by the 2nd respondent to another person and as a precaution measure, she lodged the present complaint and she has no interest to lead matrimonial life with the petitioner and that the petitioner is a paralysis patient and he is not in a position even to walk properly.

The truth or otherwise of the grounds raised by the petitioner can be decided by the trial Court. The petitioner is at liberty to file an application before the trial Court raising all the above grounds and seeking to discharge him for the above said offences. On such application being filed, the trial Court is directed to dispose of the same in accordance with law. Till disposal of such discharge application, the presence of the petitioner before the trial Court is dispensed with. If the petitioner fails in the discharge application, he is at liberty to challenge the same before the appropriate Court.

Accordingly, the Criminal Petition is disposed of. Consequently,

miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 24.2.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 24.2.2016

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