

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4019 OF 2016

ORDER:

- This petition is filed by the petitioners-accused Nos.2 & 3 under Section 482 Cr.P.C. against the order, dated 29.01.2016, in CrI.M.P. No.59 of 2016 in Crime No.129 of 2014 of Sulthanabad Police Station, passed by the Judicial Magistrate of First Class, Sulthanabad, Karimnagar District. The offences alleged against the petitioners are punishable under Sections 302, 304 (B), 498-A IPC and Section 4 of Dowry Prohibition Act r/w.34 IPC.

Heard and perused the material available on record.

The learned counsel for the petitioners submitted that the petitioners are no way concerned with the offences alleged against them and that initially the petitioners were shown as accused Nos.2 and 3 in the FIR, but, after completion of investigation, the police filed charge sheet against the other accused by deleting the names of the petitioners since the offences alleged in the complaint were not established against them and subsequently, the de facto complainant filed protest petition in CrI.P.M.P. No.59 of 2016 challenging deletion of names of the petitioners and the learned Magistrate has taken cognisance of the above offences against the petitioners without considering that the entire case is based on the factual aspects.

The offences alleged against the petitioners are so serious in nature. The truth or otherwise of the said allegations can be decided by the trial Court only after due trial. Hence, this Court is not inclined to interfere with the order passed by the trial Court in taking cognisance of the above offences against the petitioners.

Hence, the Criminal Petition is dismissed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

March 30, 2016.

CTL