

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.4247 OF 2016

ORDER:

This petition is filed by the petitioner-accused No.4 under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.217 of 2015 on the file of Noothankal Police Station, Naglonda District.

Heard and perused the material available on record.

The offences alleged against the petitioner are punishable under Sections 498-A and 494 IPC and 3 & 4 of the Dowry Prohibition Act. The allegation against the petitioner is that he, along with the other accused, performed the second marriage of A1.

The main contention raised by the learned counsel for the petitioner is that for the offence under Section 498-A IPC, the relatives of the husband alone can be prosecuted and the petitioner is a friend of A1, who is husband of the de facto complainant and therefore, the proceedings against the petitioner may be quashed.

As seen from the FIR, the offences alleged against the accused, including the petitioner, are not only punishable under Section 498-A IPC, but also punishable under Section 494 IPC. For the offence under Section 494 IPC, even a friend of the accused can also be prosecuted. Hence, this Court is not inclined to quash the proceedings against the petitioner.

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

RAJA ELANGO, J

March 29, 2016.

KTL