

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.7902 of 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioners/accused Nos.1 and 2 seeking to quash the C.C.No.1174 of 2011 on the file of the X Additional Chief Metropolitan Magistrate, Secunderabad, for the offences under Sections 447, 448, 423, 424 and 506 read with Section 34 I.P.C.

Heard the learned counsel for the petitioners/accused Nos.1 and 2 and the learned Public Prosecutor and perused the material available on record.

On a perusal of the charge sheet, this Court is of the view that truth or otherwise of the allegations made against the petitioners can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.

In any event, considering the nature of allegations against the petitioner No.2-accused No.2 and the petitioner No.2-accused No.2 being a lady, presence of the petitioner No.2-accused No.2 before the trial Court is dispensed with except on the dates of framing of charges, examination under Section 313 Cr.P.C. and pronouncement of the judgment.

Considering the nature of allegations against the petitioner No.1-accused No.1, the Criminal Petition is dismissed as far as petitioner No.1-accused No.1 is concerned.

Accordingly, the Criminal Petition is disposed of. The X Additional Chief Metropolitan Magistrate, Secunderabad is directed to dispose of C.C.No.1174 of 2011 as expeditiously as possible preferably within a period of six months from today. Consequently, the miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

09.06.2016

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