

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.459 of 2014

ORDER:

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1. This Criminal Petition is filed by the petitioners-accused Nos.1 to 7 under Section 482 Cr.P.C. seeking to quash the proceedings against them in Crime No.123 of 2013 on the file of the Phirangipuram Police Station, Guntur District.

2. Originally, accused Nos.1 to 7 moved the above Criminal Petition for quashing the proceedings against them in the above Crime. On 27.1.2014, the Criminal Petition is dismissed insofar as petitioners No.1 to 3-A1 to A3 are concerned. Insofar as petitioners 4 to 7 are concerned, this Court while ordering notice before admission granted interim stay of investigation in the above crime. In the circumstances, this Court proceeds to deal with this petition insofar as petitioners 4 to 7 are concerned.

3. The allegations in the complaint lodged by the 2nd respondent are as follows:

The 2nd respondent lodged a private complaint against the petitioners stating that her marriage was performed with the 1st petitioner on 25.6.1994 as per Hindu rites and customs and at the time of marriage, her parents gave cash and gold towards dowry and both of them led happy marital life upto 2005 and she begot one female and one male children, who are aged about 17 and 15 years respectively. Later, the 1st petitioner addicted to vices and developed illegal intimacy with his co-employee and used to spend more time and money and harassed the 2nd respondent for want of additional dowry with the support of his other family members and unable to bear the said harassment, she arranged some amounts from her parents and she was driven out of the matrimonial home and later, she got issued a legal notice to the 1st petitioner, who gave reply and the petitioners

came to her parents' house and abused her and threatened her. The said private complaint was referred to the police and the same was registered as Crime No.123 of 2013.

4. Heard and perused the material available on record.

5. In the complaint, the allegations were made against petitioners 1 to 3 only. It is stated in the complaint that A4 to A7 came to her parents' house and quarreled with them and questioned them about the issuance of the legal notice. Except the said statement, there is nothing on record to show that the petitioners 4 to 7 harassed the 2nd respondent. No specific allegations were made against them as to the alleged harassment made by them. Apart from that, A4 and A5 along with their husbands-A6 and A7 respectively are residing separately.

6. In view of the above circumstances, this Court is of the view that the continuation of the proceedings in the above C.C. against A4 to A7 will serve no purpose except causing hardship to them. Therefore, the proceedings against them are liable to be quashed.

7. Accordingly, the Criminal Petition is partly allowed quashing the proceedings against petitioners No.4 to 7-A4 to A7 in Crime No.123 of 2013 on the file of the Phirangipuram Police station, Guntur District. Consequently, miscellaneous petitions pending, if any, shall stand closed. It is needless to observe that 1st respondent-police concerned may proceed against petitioners No.1 to 3 in accordance with law.

JUSTICE RAJA ELANGO

Dated: 16th February, 2016

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