

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.8112 of 2016

ORDER:

The prayer of the petitioners in this case is as under:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Certiorari, to declare the action of the 3rd Respondent in filing charge sheet vide C.C. No. 464 of 2009 in F.I.R No. 290 of 2009 against the petitioners for offences punishable U/s 498-A of I.P.C and 4. of D.P. Act is illegal, arbitrary, violation of principles of natural justice and violation of articles 14, 15, 16 and 21 of the Constitution of India and consequently to quash the proceedings in C.C. No. 464 of 2009 in F.I.R. No. 290 of 2009 on the file of the Judicial First Class Magistrate at Karimnagar and grant such other relief or reliefs as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

Sri Syam Sundar Kondapally, learned counsel for the petitioners, would submit that the investigation was not proper, but despite the same, a charge sheet has been laid before the learned Judicial Magistrate of First Class, Godavarikhani. He however admits that charges are yet to be framed.

That being so, this Court is of the opinion that the petitioners may as well approach the Court below seeking discharge on the ground cited presently before this Court.

The writ petition is accordingly closed leaving it open to the petitioners to do so. All issues are left open.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

Date:17.03.2016

PGS