

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5688 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.) to quash the proceedings in C.C.No.128 of 2016 on the file of the II Additional Judicial Magistrate of First Class, Tanuku, West Godavari District, arising out of offences under Sections 498-A and 406 IPC read with Section 34 IPC.

Heard and perused the material available on record.

Learned counsel for the petitioners submits that the petitioners have not committed any offence and a false case has been foisted against them and as such, prays this Court to quash the proceedings.

On perusing the entire material on record, this Court is of the view that the entire evidence adduced by L.W.1, who is the aggrieved person, does not disclose any offence, more particularly the offences under Sections 498-A and 406 IPC read with Section 34 IPC as against the second petitioner/A.4 and as such, the proceedings in C.C.No.128 of 2016 on the file of the II Additional Judicial Magistrate of First Class, Tanuku, West Godavari District, are hereby quashed and the second petitioner/A.4 is acquitted of all the offences alleged against him.

Insofar as first petitioner/A.3 is concerned, his presence before the Court below is hereby dispensed with as the question of identity of the said petitioner does not arise. The first petitioner/A.3 is directed to represent his case through his counsel before the Court on all hearing dates, except the dates on which the Court below insists his presence.

The Criminal Petition is accordingly disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

20.04.2016

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