

THE HON'BLE SRI JUSTICE RAJA ELANGO

CrI.P.No.1855 of 2016

ORDER

This petition u/s.482 Cr.P.C. is filed by the petitioner/A2 seeking to quash the proceedings in C.C.No.1446 of 2015 on the file of Judicial First Class Magistrate at Miryalaguda, Nalgonda District, against him.

2. The case of the prosecution is that on 21.07.2014 at about 7.00 PM., A1 and others have trespassed into the house of the de facto complainant, abused her in filthy language, torn her cloths, beat her with hands and also threatened her with dire consequences. On the complaint of the de facto complainant, a case in Cr.No.139 of 2014 for the offences u/s.323, 509, 506 read with Section 34 IPC was registered against A1 to A3.

3. Heard and perused the material on record.

4. Learned counsel for the petitioner/A2 submits that the name of the petitioner is not found in the First Information Report and no allegation is made against him.

5. Admittedly, the petitioner/A2 is the husband of A1 and A3 is their friend. The investigation established the presence of A1 to A3 at the time of offence and specific overt acts are also attributed against the petitioner/A2. In view of the allegations mentioned in the charge sheet and also the nature of proceedings, this Court is not inclined to interfere with the impugned proceedings. However, the petitioner is directed to file an application before the trial Court to dispense with his presence before the trial Court by informing the reasons, and on filing such application, the trial Court is

directed to consider the same and pass appropriate orders.

6. With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

JUSTICE RAJA ELANGO

15th February, 2016

sj