

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

CRIMINAL PETITION NO.7052 OF 2011

ORDER:

This Criminal Petition is filed under Section 482 of the Criminal Procedure Code to quash the proceedings in C.C. No.73 of 2010 on the file of the Principal District Munsiff at Warangal, registered for the offences punishable under Sections 447, 323, 324, 506 read with Section 34 IPC.

2. Heard the learned counsel appearing for the petitioners and the learned Public Prosecutor appearing for the respondent-State.

3. The complainants are respondents 2 and 3 and petitioners 1 and 2 are accused. There are disputes between the parties about the illicit relationship between Manda Lavanya-daughter of A2 and younger sister of A1 with respondent No.3 and in the series of allegations and counter allegations, it is alleged by the complainant that A1 and A2 trespassed into the house of the complainant on 14.04.2009 at about 1500 hours and beat them. The first petitioner-A1 also caused injury upon the wrist of the third respondent with a knife. A case in Crime No.169 of 2009 dated 21-06-2009 was registered under Sections 448, 323, 324 and 506 read with 34 IPC and investigation has been completed and charge sheet is filed. No specific overt acts have been made out against the second petitioner-A2.

3. Accordingly, the Criminal Petition is partly allowed quashing the proceedings against the second petitioner/A.2 in C.C. No.73 of 2010 on the file of the Principal District Munsiff at Warangal. In so far as the first petitioner/A.1 is concerned, the Criminal Petition is dismissed. However, in the facts and circumstances of the case, the Court below is directed to proceed with the trial, without insisting for the presence of the first petitioner/A.1 for each and every adjournment, unless it feels that his physical presence is necessary for any specific purpose. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Date: 13-10-2017
Shr

T.AMARNATH GOUD, J

