

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.2785 of 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code') requesting to quash the proceedings in Calender Case No.403 of 2016 on the file of the Judicial Magistrate of First Class, Anaparthi, East Godavari District.

The petitioner is arraigned as the sole accused in the aforesaid Calender Case and alleged to have committed the offences punishable under Section 498-A of IPC and Section 4 of the Dowry Prohibition Act.

Heard Smt. A.Satya Sree on behalf of Sri Y.Hema Chander, learned counsel for the petitioner, and the learned Additional Public Prosecutor for the State of Andhra Pradesh.

The main submission of the learned counsel for petitioner is that as a counter blast to Calender Case No.119 of 2016 concerning Crime No.16 of 2016 of Anaparthi Police Station, East Godavari District, which was registered on the basis of the complaint given by the petitioner herein alleging that on 29.09.2016, the *de facto* complainant herein and one Seeram Uma Maheswara Rao were found together in company, as narrated in the complaint therein, and thereby they have committed the offences punishable under Sections 497, 506, 509 and 448 of IPC, the *de facto* complainant schemed and foisted the present case against the petitioner.

However, the learned counsel would ultimately make a request to give liberty to the petitioner to avail the remedy of filing a discharge petition before the trial court.

Acceding to the request of the learned counsel for petitioner, the Criminal Petition is disposed of giving liberty to the petitioner to avail the aforesaid remedy, in case he so chooses.

Miscellaneous petitions, if any, pending in the Criminal Petition shall stand closed.

Date: 06.04.2017
v v

A.SHANKAR NARAYANA, J

