

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.3222 of 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973, to quash the proceedings in STC.No.32 of 2016 on the file of the II Special Magistrate, Hasthinapuram, Ranga Reddy District.

The petitioners, who are arraigned as accused Nos.3 and 4, respectively, in the aforesaid STC, alleged to have committed the offence punishable under Section 506 IPC.

Heard Sri G.Ravi representing A.Prabhakar Rao, learned counsel for the petitioners, and the learned Additional Public Prosecutor for the State of Telangana.

Learned counsel for the petitioners has drawn the attention of this Court to yet another charge sheet filed and taken cognizance in C.C.No.1017 of 2016 for the offences punishable under Sections 406, 420, 448 and 323 IPC, but the incident therein appears to have occurred later compared to the incident in the present STC. Though, the learned counsel would submit that a false case is foisted against the petitioners to harass them by dragging them to the Court, still, in view of the *prima facie* allegations in the report itself as to the presence of accused Nos.1 to 4, certainly, it cannot be viewed that if the petitioners are prosecuted, it would amount to the abuse of process

of law. However, the request of the learned counsel for the petitioners so far as exempting the appearance of the 1st petitioner–S.Vineela, who is accused No.3 in the aforesaid STC, is concerned, the same is acceded to exempting her appearance during enquiry in the aforesaid STC, except on the date of preliminary examination and also on other occasions when the learned Magistrate feels that her presence is necessary.

Subject to the above, the Criminal Petition is dismissed at the stage of admission itself.

Miscellaneous Petitions, if any, pending in this petition, shall stand closed.

April 20, 2017.
v v

A. SHANKAR NARAYANA, J

