

**HON'BLE SRI JUSTICE U.DURGA PRASAD RAO**

**CRIMINAL PETITION No.3541 of 2018**

**ORDER:**

This Criminal Petition is filed under Section 482 Cr.P.C by petitioners/A1 to A3 seeking to quash the proceedings against them in C.C.No. 321 of 2016, on the file of Additional Junior Civil Judge, Chilakaluripet .

The accused allegedly committed offences under Sections 447, 323, 506, 509, 109 r/w 34 IPC vide FIR No. 54 of 2016 of Edlapadu Police Station, Guntur District.

It is informed that the matter is coming up for framing of charges.

Learned counsel for petitioners/A1 to A3 while submitting that the allegations are false and charge sheet was laid by an armchair investigation, would submit that in fact petitionr/A1 gave report to the police against the present de-facto complainant and some others, which was registered as Crime No. 53 of 2016 of Edlapadu Police Station for the offences under Sections 323, 506 and 509 read with 34 IPC and charge sheet was filed against the accused therein and the present Crime No. 54 of 2016, which culminated in C.C.No. 321 of 2016 is a counter blast to the Crime No. 53 of 2016. On this submission, learned counsel sought to quash the proceedings.

As can be seen, the police have registered two crimes Crime No. 54 of 2016 on the complaint lodged by the Kommu Vasanthamma (A1 in Crime No. 54 of 2016) and Crime No. 53 of 2016 lodged by Thammaluru Chandramma (A2 in Crime No. 53/2016), and the police after investigation filed charge

sheets in both the matters and the Additional Junior Civil Judge, Chilakaluripet, has taken cognizance of both the matters and registered C.C. Nos. 320 of 2016 (Crime No. 53/2016) 321 of 2016 (Crime No. 54 of 2016) and both the matters are coming up for framing of charges. Thus, it is evident that both the matters are in the nature of case and counter. The veracity of respective cases can be decided only after full-fledged trial.

Having regard to the prima facie accusation found in the matter, it is not apt to quash the proceedings. Therefore, the trial Court shall conduct trial in both the matters and dispose of them on merits. Considering the submission of learned counsel for petitioner that petitioner/A1 is a lady and that A3 is a resident of Hyderabad and it is difficult for them to appear before the trial Court on every adjournment, the appearance of A1/Kommu Vasanthamma and A3/Thammaluri Gopi Chand is dispensed with in CC No. 321/2016 except on the occasions when the trial Court requires their attendance.

Accordingly, Criminal Petition is dismissed. As a sequel there to, miscellaneous applications, pending if any, shall stand closed.

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**U.DURGA PRASAD RAO, J**

Date: 23.03.2018  
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