

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.10776 of 2011

ORDER:

This criminal petition is filed for quash of the proceedings in S.C.No.264 of 2011, against the petitioner, who is the accused, on the file of the Assistant Sessions Judge, Kavali. The offences alleged are under Sections 324, 452, 457 and 307 of the Indian Penal Code.

2. Heard the counsel for the petitioner and the learned Public Prosecutor, appearing for the first respondent. None appears for the second respondent in spite of notice.

3. The allegations are that the petitioner is the son-in-law of the complainant and on 17.04.2010 the petitioner trespassed into the house of the complainant and caught hold of her tuft, beat her with an iron rod on her left chest, left shoulder and all over the body.

4. Though the counsel for the petitioner submits that there was a divorce effected between the daughter and son-in-law of the complainant, the same cannot be a ground for quash of proceedings against the petitioner since the allegations are that the petitioner beat the complainant. Hence, unless the matter is taken up for trial and detailed enquiry is conducted, the truth of the matter will not come out.

In the light of the above, the criminal petition is dismissed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

November 8, 2018
DSK

T. RAJANI, J