

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.8976 OF 2016

ORDER:

This criminal petition is filed by the petitioners to quash the proceedings in CrI.M.P.No.514 of 2015 in C.C.No.81 of 2012 dated 25.01.2016 passed by the Judicial First Class Magistrate at Atmakur, Mahabubnagar District.

The complainant filed petition under Section 319 Cr.P.C to implead the proposed accused/petitioners herein alleging that Atmakur police registered a case in Crime No.94 of 2011 which is coming up for trial. In the said crime L.Ws 1 to 7 are examined as P.Ws.1 to 7 and from the evidence, it is established that along with the accused therein i.e. Sake Venkatesh, brother and sister of the accused were also involved in the said crime and they also harassed P.W.1 i.e. defacto complainant – Nalini. It is further stated that P.W.1 evidence is corroborated with the evidence of P.Ws.2,3,6 & 7 to show that the petitioners herein i.e. brother and sister of the accused harassed the defacto complainant to bring additional dowry for joining matrimonial life with accused.

Be that as it may, but, while dealing with CrI.M.P.No.514 of 2015 in C.C.No.81 of 2012 on 25.01.2016, the Judicial First Class Magistrate at Atmakur, Mahabubnagar District, wrapped-up the order in one sentence, which is as follows:

“Accused absent petition filed and allowed,
CrI.M.P.No.514 of 2015 is allowed, be posted to
01.02.2016.”

The impugned order is cryptic order and bereft of any reasons and the same is liable to be set-aside. Therefore, the order in Crl.M.P.No.514 of 2015 in C.C.No.81 of 2012 dated 25.01.2016 passed by the Judicial First Class Magistrate at Atmakur, Mahabubnagar District, is set-aside while directing the Magistrate to pass well-reasoned order in accordance with law.

In the result, the criminal petition is disposed of.

Consequently, miscellaneous applications pending if any, shall also stand closed. No costs.

Date:30.07.2018

SP

JUSTICE M. SATYANARAYANA MURTHY

