

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.11298 OF 2018

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C by the petitioner/ A1, seeking to quash the proceedings in C.C.No.391 of 2016 on the file of the II Additional Munsif Magistrate, Ongole, Prakasam District, where taken cognizance for the offences punishable under Sections 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act, which is outcome of Crime No.39 of 2015 of Women Police Station, Ongole.

2. The petitioner is A1, no other than husband of the de facto complainant among five accused including his relatives and family members no other than A2-brother, A3-father, A4-mother and A5-wife of A2.

3. The police, after investigation, filed final report against five accused by citing 10 witnesses including LWs.2 to 9, who are referred as witnesses to speak the facts in corroboration to the occurrences of the cruelty.

4. The de facto complainant/ PW.1 statement itself clearly says from 11th day of her marriage, after setting up family at brother's house of A1 at Chennai, there is harassment to do job and earn or otherwise bring money from her parents and having failed to secure job, he started harassing to bring every month Rs.25,000/- to meet their survival and harassing minimum 20 days per month continuously.

5. Once such is the allegation, leave about other allegations whether truth or otherwise. However, in factual dispute, there is nothing to quash proceedings but for to say the trial Court shall subject to other priorities, give preferential disposal of C.C.No.391 of 2016, within six months from the date of receipt of copy of this order. If at all from framing of charges, petitioner/ A1 shall appear along with other accused/ A2 to A5 for one to represent others, invoking Rule 37 of the Criminal Rules of Practice for the learned Magistrate to consider.

6. Accordingly, the criminal petition is disposed of.

7. Miscellaneous petitions pending if any, shall stand closed.

Date: 20.11.2018
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Dr. B. SIVA SANKARA RAO, J

