

THE HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 9416 OF 2015

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ORDER:

This Criminal Petition filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the code'), seeking to quash the proceedings in C.C. No.498 of 2015 on the file V Additional Judicial Magistrate of I Class, Nellore, which is outcome of the Crime No.2 of 2015 of Women Police Station, Nellore, Nellore District, registered against the petitioners and other accused for the offence punishable under Section 498-A read with 34 of the Indian Penal Code, 1860 and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

Heard the learned counsel for the petitioners and perused the material record.

Learned counsel for the petitioners submits that the petitioners are falsely implicated in the crime and they are nothing to do with the offence. It is further submitted that first petitioner is aged about 62 years and she is unable to attend day to day adjournments.

Taking into consideration the submissions made by learned counsel for the petitioners, the criminal petition is dismissed directing the learned Magistrate to proceed with the trial in C.C. No.498 of 2015. Meanwhile, the petitioner can move an application under Section 205 of the Code to the Magistrate, to dispense with the presence of the petitioners. On the application of the petitioners, the learned Magistrate shall pass orders subject to the personal presence of the petitioners as and when required before the Court.

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

M.S.K. JAISWAL, J

Dt.08.10.2015

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