

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.5046 of 2015

ORDER :

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This Criminal Petition is filed by the Petitioner/Accused under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.1850 of 2014 on the file of I Additional Chief Metropolitan Magistrate at Visakhapatnam registered for the offences punishable under Section 498-A I.P.C and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2) Heard the learned counsel for the petitioners and the 2nd respondent-State represented by the Public Prosecutor before admission and before ordering notice to the 1st respondent and perused the material on record.

3) As the material falls short for this Court to admit the application under Section 482 Cr.P.C to quash the proceedings, this application is disposed of giving liberty to the petitioner to file an application under Section 239 Cr.P.C before the learned Magistrate concerned to hear and decide the same on its own merits whether there are any grounds for discharge or to frame any lesser charge or the like vide ***State of Orissa V. Debendranath Padhi***. Needless to say if charges are framed and accused examined, the further remedy is left open to him, as the petitioner works in Chennai and facing ordeal to attend every adjournment at the risk of his job, to file an application under Section 205 Cr.P.C and in such an event, the learned Magistrate shall consider by permitting the petitioner to represent through special vakalat holder unless his personal attendance is specifically required.

4) With the above observations, the Criminal Petition is

disposed of. As a sequel, miscellaneous petitions pending, if any, in this criminal petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

19.06.2015

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