

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.1007 of 2015

ORDER

The petitioners preferred the present criminal revision case challenging the order of dismissal dated 13.05.2015 passed in Crl.M.P.No.49 of 2013 in S.C.No.207 of 2010 by the learned Assistant Sessions Judge, Gudivada.

2. The petitioners/A1 to A5 filed Crl.M.P.No.49 of 2013 under Section 227 Cr.P.C., seeking to discharge them in S.C.No.207 of 2010. By the order impugned, the trial Court dismissed the said petition observing that the documents produced by the accused are not sufficient to establish that the whole prosecution version is totally absurd and preposterous or concocted.

3. Heard both sides and perused the material on record.

4. Learned counsel for the petitioners mainly contended that the 4th petitioner/A4 was not present at the time of alleged acid attack on the de facto complainant by the accused as he was attending his Bank work and the trial Court ought to have considered the same. .

5. The averments in the charge sheet would disclose the serious allegations against the petitioners with regard to the harassment on the de facto complainant by demanding additional dowry. The presence of the petitioners at the time of alleged occurrence and other allegations of harassment for additional dowry are all factual aspects to be decided by the trial Court after full-fledged trial. Therefore, the trial Court has rightly dismissed the application filed by the petitioners to discharge them in the said

case and there is no need to interfere with the said order. However, as the petitioners and the de facto complainant are known to each other, the question of their identity does not arise and therefore, the presence of petitioners/A1 to A5 is dispensed with before the trial Court except on the dates expressly directed by the trial Court and the petitioners shall be represented by their counsel.

6. The Criminal Revision Case is, accordingly, disposed of. Miscellaneous Petitions, if any, pending in this revision shall stand closed.

JUSTICE RAJA ELANGO

18th June, 2015

sj