

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CrI.P.No.4949 of 2015

ORDER :

This petition is filed under Section 482 of the Code of Criminal Procedure (for short, 'the CrPC') by the Petitioners-A.2 to A.5 in C.C.No.428 of 2014 on the file of Special Judicial Magistrate of First Class for Prohibition and Excise, Kurnool, praying to quash the proceedings in said case.

2. Heard the learned counsel for the petitioners/A.2 to A.5 so also the learned Public Prosecutor representing State-1st respondent before admission and before ordering notice to the 2nd respondent/defacto-complainant and perused the material on record.

3. On perusal of the record, it shows the case is taken cognizance of the offences under Sections 498-A, 417 of I.P.C. and under Section 4 of the Dowry Prohibition Act(for short, 'the D.P.Act').

4. As the material falls short for this Court to admit the application under Section 482 of Cr.P.C. for quashing proceeding in C.C.No.428 of 2014, the Criminal Petition is disposed of by giving liberty to the petitioners, if not charges already framed under Section 240 Cr.P.C., to file an application or make an oral submission under Section 239 of Cr.P.C. for any grounds for discharge of any of the accused persons or for any lesser charge without prejudice to that right and in the event of framing of any charges, the trial Judge shall consider to permit one of the accused persons to represent the other accused persons under Rule under Rule 37 of the Criminal Rules of Practice unless personal appearance of all is required for any particular adjournments.

5. In the result, the Criminal Petition is disposed of. Consequently, miscellaneous applications, if any, pending in this Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 17.06.2015

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