

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.5461 of 2015

ORDER :

This Criminal Petition is filed by the Petitioners/ accused Nos.1 to 3 under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.1228 of 2014 on the file of First Additional Judicial First Class Magistrate, Kothagudem, for the offences punishable under Sections 498-A IPC and Sections 3 & 4 of Dowry Prohibition Act.

2) Heard learned counsel for the petitioners/ accused Nos.1 to 3 as well as learned public prosecutor representing 1st respondent—State before admission and before ordering notice to 2nd respondent. Perused the material on record.

3) As the material falls short for this Court to admit the application under Section 482 Cr.P.C, the same is disposed of giving liberty to petitioner to file an application before the trial Court under Section 239 Cr.P.C for the learned Magistrate shall hear and decide the matter only from the prosecution material vide ***State of Orissa vs. Debendra Nath Padhi***^[1]. Needless to say and subject to the above answer in the event of filing of any application by the petitioners under Rule 37 Cr.R.P, the learned Magistrate shall hear and permit one instead of all to attend the Court for regular adjournments but for any personal appearance is required for any particular adjournment of all the accused,

so to direct.

4) Miscellaneous petitions, if any pending, shall
stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.26.06.2015

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Date: 26.06.2015

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