

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.3284 of 2015

ORDER

-

The present criminal revision case is directed against the order dated 23.09.2015 passed in Crl.M.P.No.2615 of 2015 in C.C.No.87 of 2015 on the file of XIV Metropolitan Magistrate, Cyberabad at I.B.Nagar.

2. Heard and perused the material on record.

3. The petitioner/A1 is involved in C.C.No.87 of 2015 on the file of XIV Metropolitan Magistrate, Cyberabad at I.B.Nagar, registered for the offences punishable under Sections 498-A, 506 IPC and under Sections 3 and 4 of Dowry Prohibition Act. He filed the impugned application under Section 205 Cr.P.C. seeking to permit him to represent through his counsel and dispense with his personal appearance before the Court on every date of adjournment due to his employment in abroad. By the order impugned, the said application was allowed permitting the petitioner to represent through his counsel. Aggrieved by the same, the petitioner/State filed the present revision.

4. Learned Public Prosecutor submits that the trial Court while dispensing with the presence of the petitioner, no specific direction was issued for his appearance before the trial Court whenever required and that due to the absence of the petitioner/A1, the trial will not proceed further.

5. By the order impugned, the trial Court having observed that the petitioner is working in abroad and as the matter arising out of matrimonial dispute, there is no dispute with regard to his identity, allowed the application dispensing with the presence of the petitioner/A1. Further, the trial Court also permitted the petitioner to represent through his counsel and therefore, no prejudice would be caused to the prosecution in proceeding with the trial. In view of the same, the trial Court has rightly passed the order impugned and there is no need to interfere with by this Court.

6. Hence, the Criminal Revision Case is dismissed. Miscellaneous Petitions, if any, pending in this revision shall stand dismissed.

JUSTICE RAJA ELANGO

31st December, 2015

sj