

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO
CRIMINAL PETITION No.5464 OF 2015

ORDER:

This Criminal Petition is filed by the petitioners/A2 to A5 under Section 482 Cr.P.C seeking to quash the proceedings in C.C.No.704 of 2014 on the file of VI Metropolitan Magistrate, Medchal, where cognizance was taken for the offences punishable under Sections 498-A I.P.C and Sections 4 and 6 of the Dowry Prohibition Act.

Heard the learned counsel for the petitioners and the learned Public Prosecutor appearing for the State, before notice to respondent No.2/*de facto* complainant and before admission.

Perused the material on record. The material on record falls short for this Court to admit the application under Section 482 Cr.P.C, this petition is disposed of giving liberty to the petitioners to approach the trial Court by filing an application under Section 239 Cr.P.C. if no grounds to frame charge before discharge only from prosecution material, as laid down in **State of Orissa v. Debendranath Padhi**^[1]. Needless to say, in the course of trial the learned

Magistrate may permit one of the accused persons to represent the others, if they filed application under Rule

37 of Criminal Rules of Practice. Any other remedy is left open to the petitioners, in the event of framing charges.

Accordingly, this criminal petition is disposed of.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 26-06-2015
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[\[1\]](#) (2005)1 SCC 568