

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Crl.P.M.P. No.7252 of 2015

IN/ AND

Crl.P. No.7351 of 2015

COMMON ORDER :

Heard learned counsel for the petitioners, who are respondents in M.C. No.9 of 2014 on the file of XIII Additional Chief Metropolitan Magistrate, Hyderabad, filed by 2nd respondent herein against the petitioners under Section 3 of the Muslim Women (Protection of Rights on Divorce) Act, 1986 r/w Rules 1986 (for short 'Rules 1986').

2) The petitioners herein filed Crl.P.M.P. No.7252 of 2015 seeking to dispense with their personal appearance saying that they are ready to face the enquiry to decide their contention of non-liability. In fact Section 126 (2) Cr.P.C like to Rule 4 of Rules, 1986, which is provided to dispense with the personal appearance, if represented through pleader. When similar application filed by the petitioners before the trial Court, the same can be considered by the Magistrate.

3) Having regard to the above, both petitions are disposed of, directing the trial Court by invoking Rule 4 of Rules, 1986 to dispense with the personal appearance of petitioners since representing through advocate or permit one of the accused to represent others i.e., 3rd petitioner—father of 1st petitioner and 2nd petitioner as well as husband of 4th petitioner by virtue of this order under Section 482 Cr.P.C.

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

Dr. B. SIVA SANKARA RAO, J

Dt.25.08.2015
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