

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36695 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India to declare the charge sheet filed by respondent No.3 in C.C.No.17 of 2015 in F.I.R.No.156 of 2014 before the Judicial First Class Magistrate, Venkatagiri as illegal and arbitrary and consequently, to set aside the same on the ground that the petitioners have not committed any crime.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioners/A-2 to A-4 are punishable under Section 498-A I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961.
4. After arguing for sometime, learned counsel for the petitioners confined his argument only to the extent of dispensing with the presence of the petitioners before the trial Court.
5. Considering the facts and circumstances of the case and the nature of allegations wherein the question of identity of the petitioners does not arise, presence of the petitioners/A-2 to A-4 before the trial Court is dispensed with except on the dates of framing of charges and examination under Section 313 Cr.P.C. The petitioners shall be properly represented through their counsel before the trial Court.
6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

31.10.2016
AMD



THE HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.36695 OF 2016

Date: 31.10.2016

AMD