

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.12937 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner/accused No.2 seeking to quash the C.C.No.135 of 2016 on the file of the V Additional Judicial First Class Magistrate, Rajamahendravaram, East Godavari District, for the offences punishable under Sections 498-A read with 34 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioner/accused No.2 and the learned Public Prosecutor and perused the material available on record.

3. On a perusal of the charge sheet, this Court is of the view that truth or otherwise of the allegations made against the petitioner/accused No.2 can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner/accused No.2.

4. In any event, considering the nature of allegations against petitioner/accused No.2, presence of petitioner/accused No.2 on each and every hearing before the trial Court is dispensed with, but he shall appear before the trial Court when the trial Court insists for his appearance for any specific purpose. However, the non-petitioner/accused No.1 shall appear before the trial court during the course of trial.

5. The learned trial Court shall dispose of C.C.No.135 of 2016 positively within a period of six months from today.

6. Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions pending in this petition, if any, shall stand closed.

12th September, 2016
Bvv

M.S.K.JAISWAL, J

