

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.44921 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ or order, more particularly one in the nature of writ of *Mandamus* declaring the cognisance taken in C.C.No.289 of 2013 on the file of XIII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad is bad in law and consequently quash the same.

Heard the learned counsel for petitioners and the learned Assistant Government Pleader for Home and perused the material available on record.

On a perusal of the charge sheet, this Court is of the view that truth or otherwise of the allegations made against the petitioners can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against petitioners.

In any event, taking into consideration the submission of the counsel for petitioners that petitioner Nos.1, 3 & 4 are ladies and petitioner No.2 is father of the main accused and considering the nature of allegations wherein the question of identity of petitioners-accused does not arise, presence of the petitioners on each and every hearing before the trial Court is dispensed with, but they shall appear before the trial Court when the trial Court insists for their appearance for any specific purpose.

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

JUSTICE RAJA ELANGO

22.12.2016
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