

EHONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.1853 OF 2016

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ORDER:

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This Criminal Petition, under Section 482 Cr.P.C., is filed by the petitioners-A2 and A4 with a prayer to quash the proceedings in CC No.1591 of 2013 on the file of I-Additional Chief Metropolitan Magistrate, Visakhapatnam, for the offences punishable under Sections 498-A IPC and 3 & 4 of the Dowry Prohibition Act.

Heard and perused the material available on record.

The allegation against the petitioners is that they along with A1 and A3 harassed the de facto complainant - 2nd respondent demanding additional dowry. Admittedly, after duly investigating into the complaint lodged by the de facto complainant, the Police filed charge sheet against the petitioners and other accused. A reading of charge sheet also reveals some allegations against the petitioners, truth of which can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.

After arguing for some time, the learned counsel for the petitioners while not pressing for the main prayer, confined his arguments only to the extent of dispensing with the presence of the petitioners before the trial Court.

Considering the facts and circumstances of the case and also in view of the submissions of the learned counsel for the petitioners, the presence of the petitioners before the trial Court is dispensed with except on the dates on which the trial Court insists for their presence, and the husband of the de facto complainant – A1 is directed to appear before the trial Court on behalf of the other petitioners on all hearing dates and the petitioners shall be properly represented through their counsel before the trial Court.

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

RAJA ELANGO, J

February 15, 2016.

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