

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44443 of 2016

ORDER:

In this writ petition, the petitioners seek to quash the proceedings in C.C.No.234 of 2014 pending on the file of V Additional Judicial Magistrate of First Class, Tirupathi.

The main grievance of the petitioners is that the 3rd respondent in collusion with 2nd respondent implicated the petitioners in false criminal case being C.C.No.234 of 2014 for the offence punishable under Section 498-A r/w 34 IPC. However, after arguing for sometime, the learned counsel for the petitioners confined his argument to the extent of dispensing with the presence of the petitioners before the trial Court.

This Court is not inclined to interfere with the impugned proceedings. However, being the offence alleged against the petitioners under Section 498-A IPC, question of their identity before the trial Court does not arise if their presence is dispensed with.

In the circumstances, the presence of the petitioners in C.C.No.234 of 2014 on the file of V Additional Judicial Magistrate of First Class, Tirupathi is dispensed with except on the dates so specifically the learned Magistrate insists for their appearance.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

20.12.2016.
Tsr

