

**THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL**

**CRIMINAL PETITION No.12897 of 2016**

**ORDER:**

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioners/accused Nos.1 to 3 seeking to quash the D.V.C.No.54 of 2016 on the file of the II-Additional Judicial First Class Magistrate, Eluru, West Godavari District.

Heard the learned counsel for the petitioners/accused and the learned Public Prosecutor and perused the material available on record.

On a perusal of the application under Section 12 of the Protection of Women from Domestic Violence Act, 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 the petitioners.

In any event, considering the nature of allegations against the petitioner Nos. 1 and 3/A1 and A3, presence of the petitioner Nos.1 and 3/A1 and A3 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. Considering the nature of allegations against the petitioner No.2/A2, the Criminal Petition is dismissed as far as petitioner No.2/A2 is concerned. The petitioner No.2/A2 shall appear before the trial court during the course of trial.

The learned trial Court shall dispose of D.V.C.No.54 of 2016 as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of the order.

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

**M.S.K.JAISWAL, J**

12<sup>th</sup> September, 2016

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