

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3851 OF 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in D.V.C.No.5 of 2015 on the file of the III Metropolitan Magistrate, Visakhapatnam, arising out of the petition filed under Sections 12, 18 to 22 of the Protection of Women from Domestic Violence Act.

Heard and perused the material available on record.

This Court is of the view that truth or otherwise of the allegations made against the petitioner can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.

Considering the fact that the case is arising out of matrimonial disputes, and also as the question of identity of the petitioner does not arise, the presence of the petitioner before the trial Court is dispensed with except on the dates when the trial Court insists for his appearance. The petitioner is directed to be represented by the counsel on all hearing dates before the Court below.

The Criminal Petition is accordingly disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

22.03.2016

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