

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.P.No.1856 of 2016

ORDER

This petition u/s.482 Cr.P.C. is filed by the petitioners/A1 and A2 seeking to quash the proceedings in C.C.No.92 of 2015 on the file of Junior Civil Judge, Piduguralla, against them.

2. The case of the prosecution is that the marriage of the de facto complainant with A1 was performed at about 18 years back and they have no children, but previously, their marriages were performed and the de facto complainant had two children through her first husband and A1 had one son through his first wife. After marriage, A1 and the de facto complainant maintained their children and performed their marriages. While so, due to property disputes, A1 and his 1st wife's son i.e., A2 started harassing the de facto complainant physically and mentally and A1 also beat her. Based on the complaint of the de facto complainant, a case in Cr.No.04 of 2015 for the offence u/s.498-A IPC was registered against A1 and A2.

3. Heard and perused the material on record.

4. After arguing some time, learned counsel for the petitioners confined his argument to the extent that the presence of the petitioners/A1 and A2 before the trial Court may be dispensed with.

5. The allegations in the charge sheet would show that due to property disputes, the accused harassed the de facto complainant. In view of the allegations mentioned in the charge sheet and also the nature of proceedings, this Court is not inclined to interfere

with the impugned proceedings. However, as the offence alleged against the accused is under Section 498-A IPC, the question of identity does not arise, as such, the presence of the petitioners/A1 and A2 before the trial Court is dispensed with except on the dates whenever their presence is insisted by the trial Court.

6. With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

JUSTICE RAJA ELANGO

15th February, 2016

sj