

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.11175 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) by the petitioners/accused Nos.1 to 3, 5 and 6 seeking to quash the C.C.No.600 of 2015 on the file of the XIII Additional Chief Metropolitan Magistrate, Hyderabad, for the offences under Section 498-A I.P.C. and Sections 4 & 6 of Dowry Prohibition Act.

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 charge sheet, 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, 3 to 5 - accused Nos.1, 3, 5 and 6, presence of the petitioner Nos.1, 3 to 5 - accused Nos.1, 3, 5 and 6 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-accused No.2, the Criminal Petition is dismissed as far as petitioner No.2-accused No.2 is concerned. The petitioner No.2 – accused No.2 shall appear before the trial court during the course of trial.

It is represented that the trial Court has issued arrest warrant against petitioner No.1 – accused No.1, who is residing in Australia. In that view of the matter, the petitioner No.1 – accused No.1 is directed to appear before the Court below and file a petition seeking to recall the warrant and as and when such petition is filed, the trial Court shall recall the arrest warrant on the same day on usual terms.

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

JUSTICE M.S.K.JAISWAL

02.08.2016

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