

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2108 OF 2016

ORDER:

- This criminal petition, under Section 482 Cr.P.C., is filed by the petitioners – accused seeking to quash the proceedings in CC.No.250 of 2015 on the file of Judicial Magistrate of First Class, Palasa, Srikakulam District.

Heard and perused the material available on record.

The offences alleged against the petitioner are punishable under Sections 498-A IPC and 3 & 4 of the dowry Prohibition Act. Admittedly, after duly investigating into the complaint lodged by the *de facto* complainant, the Police filed charge sheet against the petitioners.

A reading of charge sheet also reveals some allegations against the petitioners, truth of which can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.

After arguing for some time, learned counsel for the petitioners while not pressing for the main prayer, confined his arguments only to the extent of dispensing with the presence of the petitioners before the trial Court.

In view of the same and also considering the nature of allegations wherein the question of identity of the petitioners does not arise, the presence of the petitioners 2 to 4 is dispensed with before the trial Court, except on the dates on which the learned trial Judge insists for their presence and the husband of the *de facto* complainant i.e. the

1st petitioner shall appear before the trial Court on all hearing dates and represent the other petitioners also. The petitioners shall be properly represented through their counsel before the trial Court.

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

RAJA ELANGO, J

February 19, 2016.

KTL