

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2296 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., by the petitioners-accused Nos.2 to 7 seeking to quash the proceedings in C.C. No.1895 of 2008 on the file of the VII Additional Judicial Magistrate of First Class, Rajahmundry, East Godavari District, for the offences under Sections 498-A, 406 and 506 r/w.34 IPC and 3 & 4 of the Dowry Prohibition Act.

Heard perused the material available on record.

The allegation against the petitioners is that they along with A1 harassed the de facto complainant - 2nd respondent demanding additional dowry. Admittedly, after duly investigating into the complaint lodged by the de facto complainant, the Police filed charge sheet against the petitioners and other accused. 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, the 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.

Considering the facts and circumstances of the case and also in view of the submissions of the learned counsel for the petitioners, the presence of the petitioners before the trial Court is dispensed with except on the dates on which the trial Court insists for their presence, and the husband of the de facto complainant i.e. A1 is directed to appear before the trial Court on behalf of the other petitioners on all hearing dates and 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 24, 2016.
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