

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2293 OF 2016

ORDER:

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This criminal petition, under Section 482 Cr.P.C., is filed by the petitioners – accused Nos.2 to 5 seeking to quash the proceedings in CC.No.445 of 2013 on the file of Additional Munsif Magistrate, Kandukur.

Heard and perused the material available on record.

The offences alleged against the petitioners are punishable under Sections 498-A r/w.34 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 is dispensed with before the trial Court, except on the dates on which the learned trial Judge insists for their presence and they shall be properly represented through his counsel before the trial Court. Further, the husband of the *de facto* complainant (A1 in CC No.445 of 2013) shall appear before the trial Court on behalf of the petitioners on all hearing dates.

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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