

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38293 of 2016

ORDER:

This writ petition is filed seeking to call for the records in charge sheet, dated 28.10.2014, in C.C.No.406 of 2014, on the file of the III Additional Munsiff Magistrate, Ongole, and to quash the same.

Heard and perused the material available on record.

The case of the petitioners is that the 3rd respondent lodged a complaint before the 2nd respondent, which was registered as FIR No.465 of 2014, dated 31.08.2014, for the offence under Section 498-A IPC against the petitioners alleging that the petitioners have harassed the 3rd respondent physically and mentally for additional dowry. The charge sheet was filed on 28.10.2014 and the same was numbered as C.C.No.406 of 2014, on the file of the III Additional Munsiff Magistrate, Ongole.

After arguing for some time, the learned counsel for the petitioners submitted that the petitioners may be permitted to file discharge application and their presence before the trial Court may be dispensed with.

Considering the facts and circumstances of the case and the submission made by the learned counsel for the petitioners, the petitioners are permitted to file discharge application before the trial Court and on such application being filed, the trial Court shall consider the same in accordance with law. Till the disposal of such discharge application, the presence of the petitioners before the trial Court is dispensed with.

Accordingly, the Writ Petition is disposed of. No costs.
Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 8th November, 2016

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