

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.13267 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner Nos.1 to 3/respondent Nos.4, 6 & 5 respectively seeking to quash the complaint by deleting the names of petitioners shown as Respondent Nos.4, 6 & 5 in D.V.C.No.3 of 2016 pending on the file of the Additional Judicial First Class Magistrate at Parvathipuram.

Heard the learned counsel for the petitioner Nos.1 to 3/respondent Nos.4, 6 & 5 and the learned Public Prosecutor and perused the material available on record.

On a perusal of the record, 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 to 3 – respondent Nos.4, 6 & 5, presence of the petitioner Nos.1 to 3 – respondent Nos.4, 6 & 5 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. Further more, the presence of non-petitioners – Respondent Nos.2 and 3 in

D.V.C. 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. However, the non-petitioner - Respondent No.1 in D.V.C. shall appear before the trial court during the course of trial.

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

JUSTICE M.S.K.JAISWAL

19.09.2016

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