

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.6121 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioners/A-1 & A-2 seeking to quash the proceedings in C.C.No.128 of 2016 on the file of the II Additional Judicial Magistrate of First Class, Tanuku, West Godavari District.

2. Heard and perused the material available on record.
3. The offences alleged against A-1 are punishable under Sections 498-A, 406, 354(A)(1)(iii), 377 and 506 read with 34 I.P.C., and Sections 3 and 4 of the Dowry Prohibition Act, 1961 whereas the offences alleged against A-2 are punishable under Sections 498-A, 406 and 506 read with 34 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act.
4. Admittedly, after duly investigating into the complaint lodged by the *de facto* complainant, the police filed charge sheet against the petitioners. A reading of the charge sheet also reveals some allegations against the petitioners, truth of which can be ascertained only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.
5. In any event, considering the nature of allegations wherein the question of identity of the petitioners does not arise, presence of petitioner No.2/A-2 before the trial Court is dispensed with except on the dates of framing of charges and examination under Section 313 Cr.P.C. However, A-1, who is the husband of respondent No.2, shall be present before the trial Court on all dates of hearing on his behalf and on behalf of other accused also. The petitioners shall be properly represented through their counsel before the trial Court.

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Date:25.4.2016

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