

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.3158 of 2016

ORDER:

This Criminal Petition is filed by the petitioners/A-1 to A-3 under Section 482 Cr.P.C. seeking to quash proceedings initiated against them in C.C.No.53 of 2016 on the file of Judicial Magistrate of First Class, Kothavalasa, arising out of Crime No.23 of 2015 of Kothavalasa Police Station registered for the offences punishable under Section 498-A read with Section 34 IPC.

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

The offences alleged against the petitioners are punishable under Sections 498-A read with Section 34 IPC. Admittedly, after duly investigating into the complaint lodged by the *de facto* complainant, the Police filed charge sheet against the petitioners/accused.

A reading of charge sheet would reveal that specific allegations are made against the petitioners, the truth or otherwise of which can be ascertained only after due trial and the same cannot be determined at the threshold. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.

In any event, considering the nature of allegations wherein the question of identity of the petitioners/accused does not arise, the presence of the petitioners 2 and 3/accused 2 and 3 before the trial Court is dispensed with except on the dates when their presence is specifically required by the Court for the purpose of framing of charges and the examination under Section 313

Cr.P.C. However, the petitioners 2 and 3/accused 2 and 3 shall be properly represented through their counsel before the trial Court. The 1st petitioner/A-1 shall appear before the trial Court on all the date of hearing on his behalf and on behalf of other petitioners/accused also.

Accordingly, the Criminal Petition is disposed of. As a sequel thereto, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 14-03-2016

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