

CRIMINAL PETITION No.7807 of 2017

ORDER :

Heard learned counsel for the petitioner/ A.1 of C.C.No.536 of 2009 on the file of the IX Additional Chief Metropolitan Magistrate, Hyderabad, where the learned Magistrate taken cognizance for the offence punishable under Section 420 I.P.C.

It is the submission that the original private complaint taken cognizance under Section 200 r/w 190 Cr.P.C. by the learned Magistrate was not only against the petitioner but other accused also, but for, case against other accused is split up from they are not submitting to the Court.

So far as the case on hand concerned, undisputedly, it is a case pending since 2009, thereby, there is nothing to interdict any pre-charge enquiry contemplated by Sections 244 and 245 Cr.P.C.

Having regard to the above, without going into the merits, the petition for otherwise even maintainable not to admit, but for, giving liberty to face the pre-charge enquiry and ask for discharge by virtue of the provisions if at all from the prosecution evidence there are no grounds to frame charge and needless to say the petitioner claimed residing at Bangalore, she need not attend the Court regularly apart from the difficulty, the petitioner is given liberty by virtue of this order to file an application under Section 205 Cr.P.C. before the learned Magistrate permitting to represent through special vakalat

holder for the learned Magistrate to permit including during enquiry and for examination if at all any charges framed but for the personal appearance as and when required under Section 313 Cr.P.C.

Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous petitions, if any, shall stand closed.

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Dr. B. SIVA SANKARA RAO, J

Date: 18.09.2017

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