

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.2707 of 2017

ORDER:

Heard Sri Mohd. Sadiq Ali, learned counsel for the petitioners, and the learned Additional Public Prosecutor for the State of Telangana on behalf of respondent No.1.

Though, the present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code'), requesting to quash the proceedings in C.C.No.250 of 2016 on the file of the Judicial First Class Magistrate at Suryapet, learned counsel for the petitioners/accused Nos.1 to 4 restricts the claim to the extent of exempting the appearance of petitioner Nos.2 to 4 before the trial Court.

The petitioners alleged to have committed the offences punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act.

In view of the request made by the learned counsel for the petitioners, there is no need to advert to the fact-situation occurring in the present case and to enter into the arena whether the allegations made against the petitioners would make out a case, or otherwise.

Turning to the request made by the learned counsel for petitioners, certainly, the appearance of petitioner Nos.3 and 4/accused Nos.3 and 4, by names Mucherla Ramadevi and Mucherla Nageshwar Rao, can only be exempted, except on the dates when they are required

to appear for examination under Section 239 of the Code, in case it is not done, and on the date when examination under Section 313 of the Code takes place and also on all other occasions as and when the learned Magistrate directs them to appear, if their presence is absolutely necessary. However, the request to exempt the appearance of petitioner No.2/accused No.2 is rejected.

With the above observations/directions, the Criminal Petition is dismissed at the stage of admission itself.

Miscellaneous applications, if any, pending in the present petition stand closed.

31.03.2017
v v

JUSTICE A.SHANKAR NARAYANA

