

HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

CRIMINAL PETITION No.52 of 2011

ORDER:

This criminal petition is filed under Section 482 of Cr.P.C. to quash the proceedings against the petitioners in C.C.No.39 of 2010 on the file of Judicial Magistrate of First Class, Parkal, Warangal District.

Petitioners are A2 to A4.

The brief facts of the prosecution case are that, the 1st respondent married Ande Sampath-A1 on 10.06.2006 and at the time of marriage, an amount of Rs.1,50,000/- cash, 10 tulas of gold, motorcycle, T.V. and other household articles were presented to the family of accused on their demand. After the marriage, the 1st respondent and A1 led marital life by setting up a separate family at Secunderabad and they were blessed with a female child. It is alleged that A1 started harassing 1st respondent for additional dowry and used to beat her on the ground that she gave birth to a female child. It is further alleged that A2 to A10, who are the brothers, sisters and brothers-in-law of A1 used to visit the house of A1 and harassed her for additional dowry. In the month of August, 2008, the 1st respondent gave a complaint in Bhoopalpalli Police Station on the harassment meted out by the accused and requested for counseling. In spite of counseling, there is no change in the attitude of A1 and he continued harassment for additional dowry on the instigation

of A2 to A10. On 15.04.2009, A1 tried to kill the 1st respondent by hanging her at their house situated at Secunderabad. As such, 1st respondent went to the police station along with her parents and lodged a report against the accused. Basing on the said complaint, the police registered a case in Crime No.145 of 2009 for the offences under Section 498-A of I.P.C. and Sections 3 and 4 of Dowry Prohibition Act and after investigation, they have filed charge sheet against all the accused.

Heard learned counsel for the petitioners and respondents.

Learned counsel for the petitioners submitted that he is not pressing for quashing of proceedings against the petitioners.

Accused Nos.2 and 3 are the parents and Accused No.4 is the brother of Accused No.1. There are specific allegations against the accused with regard to offences under Section 498-A of I.P.C. and Sections 3 and 4 of Dowry Prohibition Act and therefore, there are no grounds to quash the proceedings against the accused.

Learned counsel for the petitioners requested to dispense with the presence of the accused during trial.

In view of the facts and circumstances of the case, the Criminal Petition is dismissed with liberty to the petitioners to file a petition before the trial Court for dispensing with their

presence and the trial Court shall consider the same and pass appropriate orders in that regard.

The Miscellaneous Petitions, if any, pending shall stand closed.

GUDISEVA SHYAM PRASAD,J

Date : 13.10.2017
ssp

