

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.549 of 2017

ORDER:

The present petition, under Section 482 Cr.P.C., is filed by the petitioners/Accused Nos.2 to 4 to quash the proceedings in C.C.No.37 of 2015 on the file of XX Metropolitan Magistrate, Cyberabad at Malkajgiri.

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

Sri G.Ravichandran, learned counsel for the petitioners, would submit that without proper investigation, the charge sheet was filed by the Investigating Officer based on omnibus allegations and petitioner No.3 herein is the brother of Accused No.1, who is non-petitioner, and, therefore, seeks to quash the proceedings against the petitioners. Learned counsel further submits that since the petitioners are residing at Suryapet, they are facing hardship in travelling all the way from Suryapet to the Court at Malkajgiri, where the present Calender Case is pending.

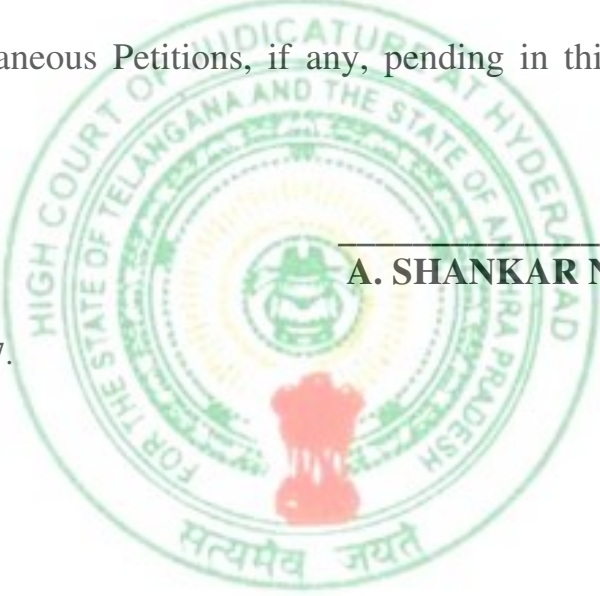
Learned counsel for the petitioners, of course, fairly concedes that as the present Calender Case is coming up for trial, the presence of the petitioners may be dispensed with.

As could be seen from the cause title, petitioner No.3, who is the brother of Accused No.1, appears to be a private job holder and he faces inconvenience in attending the Court at Malkajgiri and, therefore, his presence during trial of the aforesaid Calender Case is dispensed with. It is, however, made clear that he shall appear before the Court below as and when directed by the learned Magistrate.

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

Miscellaneous Petitions, if any, pending in this petition, shall stand closed.

January 27, 2017.
v v

A. SHANKAR NARAYANA, J