

**HON'BLE SRI JUSTICE A. SHANKAR NARAYANA**

**CRIMINAL PETITION No.2131 OF 2017**

**ORDER:**

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed requesting to quash the proceedings in C.C.No.841 of 2016 on the file of Additional Judicial Magistrate of First Class, Mangalagiri.

2. The petitioners are arraigned as accused Nos.2 and 3 on a complaint lodged by respondent No.2 – *de facto* complainant and alleged to have committed the offences punishable under Sections 498-A and 506 I.P.C. and Sections 3 and 4 of Dowry Prohibition Act. Accused No.1, who is the husband of respondent No.2, is not a party to the present Criminal Petition.

3. Heard Sri T.L. Krishna Prasad, learned counsel for the petitioners, and learned Additional Public Prosecutor for the State of Andhra Pradesh.

4. Learned counsel for the petitioners would submit that the petitioners are not pressing for quashment of the proceedings in the aforesaid Calendar Case, but, however, requests for exemption of their appearance before the trial Court in the aforesaid Calendar Case on the main ground that petitioner No.1, who is 70 years old, is totally bed ridden and at terminal stage, whereas, petitioner No.2, being the daughter of petitioner No.1, has to look after petitioner No.1, besides

taking the responsibility of looking after her parents-in-law, who are also sufficiently old, aged 80 years and 75 years, respectively, and were also ailing. In support thereof, medical certificates issued by the Civil Assistant Surgeon, Government General Hospital, Vijayawada, have been filed.

5. Keeping in view, the typical circumstances occurring herein, where petitioner No.2 has to look after not only petitioner No.1, but also her old aged in-laws, who are also ailing, the presence of petitioner Nos.1 and 2 is exempted in C.C.No.841 of 2016 on the file of learned Additional Judicial Magistrate of First class, Mangalagiri, but with a direction that they shall appear as and when the Court takes up examination under Section 239 Cr.P.C., when it frames charges and when the case reaches the stage of examination under Section 313 Cr.P.C. and also whenever the learned Magistrate directs them to appear, if necessary.

6. With the above direction, the Criminal Petition is disposed of. Miscellaneous Petitions, if any, pending in this Criminal Petition, shall stand closed.

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**A. SHANKAR NARAYANA, J**

March 15, 2017.  
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