

THE HON' BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.724 of 2017

ORDER:

Heard Sri P.V.Venkata Ravi Sankar, learned counsel for the petitioner, and the learned Additional Public Prosecutor for the State of Telangana on behalf of respondent No.1.

The petitioner, who is arraigned as Accused No.4 in C.C.No.428 of 2016 on the file of IX Metropolitan Magistrate at Miyapur, Kukatpally, Cyberabad, alleged to have committed the offences punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act and she is the sister of the husband of respondent No.2.

Learned counsel for the petitioner would submit that in Criminal Petition No.10811 of 2016 filed by Accused Nos.2 and 3 in the present Calender Case, this Court, by order dated 25.07.2016, dispensed with the presence of the petitioners therein during trial of the Calender Case and, as such, he would request that a similar order may be passed in the present petition also.

From a perusal of the said order, dated 25.07.2016, which is filed in the material papers, it is evident that this Court, while disposing of the said petition, directed the learned Magistrate to dispose of the Calender Case within a period of six months from the date of the order, without insisting on the presence of the petitioners therein on each and every date of hearing.

Learned Additional Public Prosecutor would readily accept the request of learned counsel for the petitioner.

Admittedly, the petitioner is the sister of Accused No.1 and, incidentally, the sister-in-law of respondent No.2. Since it is stated that she resides at Bangalore, certainly, it would be inconvenient to her to attend the Court during trial. Even otherwise, when the presence of the parents-in-law of respondent No.2 before the Court below is exempted by this Court in Criminal Petition No.10811 of 2016, it would be reasonable to pass a similar order in the present petition also and, therefore, the presence of the petitioner/ Accused No.4 before the Court below on each and every date of hearing is exempted. However, she shall appear before the Court below as and when directed by the learned Magistrate.

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

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

01.02.2017
v v

JUSTICE A. SHANKAR NARAYANA

