

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.1028 of 2017

ORDER:

This Criminal Petition is filed by the petitioners/ accused Nos.2 to 4 in C.C. No.1649 of 2013 on the file of II Additional Chief Metropolitan Magistrate, Vijayawada, Krishna District, seeking for quash of proceedings in the said C.C.

2. Heard learned counsel for the petitioners.

3. Learned counsel for petitioners contends that the 3rd petitioner is not concerned with the family of the complainant and she stays separately and far away to her in-laws house and petitioners 1 and 2 are also innocent. But a perusal of the complaint shows that there are allegations made against all the petitioners. Apart from this, though the allegations made are general in nature, are nevertheless serious, being that there is a demand of dowry. Learned counsel further submits that charge sheet was filed by deleting some of the persons mentioned in the complaint. It would only go to show that the police and the Investigating Agency found some material against these petitioners otherwise they would have deleted their names also as they did in respect of some of the accused against whom no material was found.

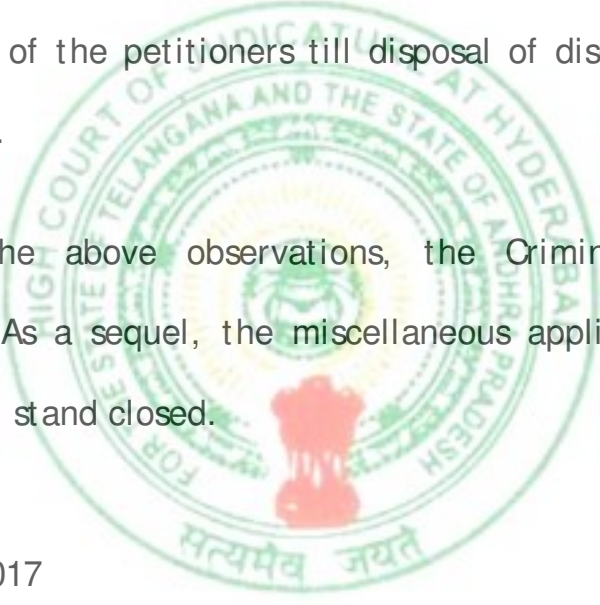
4. Hence, at this stage, quash of the proceedings is not advisable. The petitioners are, however, free to move the lower Court by way of a discharge petition and they can take all these pleas before the Court below.

5. The learned counsel for petitioners contend that the petitioners are finding it difficult to attend the Court and more particularly, 1st petitioner being old aged is unable to move freely.

6. Hence, I deem it fit to direct the lower Court not to insist on the presence of the petitioners till disposal of discharge petition filed by them.

7. With the above observations, the Criminal Petition is disposed of. As a sequel, the miscellaneous applications, if any pending, shall stand closed.

Date: 20.10.2017
KNL


T. RAJANI, J