

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.3308 OF 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code') requesting to quash the proceedings in Calendar Case No.303 of 2016 on the file of the V-Additional Judicial Magistrate of First Class, Nellore.

2. The petitioners herein are arraigned as accused Nos.1 to 7 in the aforesaid calendar case and they alleged to have committed the offences punishable under Section 498-A of the Indian Penal Code, 1860 (IPC) and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

3. Heard Sri G.Vijaya Saradhi, learned counsel for the petitioners and learned Additional Public Prosecutor for the State of Andhra Pradesh.

4. Learned counsel for the petitioners made submission for giving up the request for quashment, however, seeks dispensing with the presence of petitioner Nos.2 to 7-accused Nos.2 to 7 before the trial Court in C.C.No.303 of 2016 on the ground that petitioner Nos.2 and 3-accused No.2 and 3 are aged persons, petitioner No.5-accused No.5 is a married lady and petitioner Nos.6 and 7-accused Nos.6 and 7 are living in Karanataka State and they are unconnected with the offences alleged against them.

5. Keeping in view that petitioner Nos.6 and 7-accused Nos.6 and 7 (Athyala Suneetha and Athyala Karunakar respectively) are residing at Hospet, Bellari, and petitioner No.5-accused No.5 (Velpula

Deepthi) being a household lady, who looks after domestic affairs, their appearance alone is exempted during trial in C.C.No.303 of 2016 except on the dates when examination under Sections 239 and 313 of the Code will be taken up by the learned Magistrate.

6. With the above observation, the criminal petition is dismissed.

7. As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

A. SHANKAR NARAYANA, J

28th April 2017

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