

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.12332 of 2017

ORDER:

The present Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code') seeking to quash the proceedings against the petitioners, who are arraigned as accused Nos.2 and 3, in C.C.No.219 of 2017 on the file of the learned XIII Additional Chief Metropolitan Magistrate at Hyderabad.

Sri Masood Ali Khan, learned counsel for the petitioners, having argued elaborately referring to the contents of the complaint and 161 Cr.P.C statements to some extent, however, when pointed out that the complaint itself contains certain allegations making out a *prima facie* case at this stage against the petitioners, who are the parents-in-law of the *de facto* complainant, for the offences punishable under Sections 498-A and 406 IPC and Sections 4 and 6 of the Dowry Prohibition Act, would make a request to exempt the presence of the petitioners before the Court below as they are aged 75 years and 70 years, respectively.

Though, the learned counsel for the petitioners pointed out that there has been delay of three years in lodging the complaint, the same requires to be examined during trial. Since the petitioners are old aged, acceding to the request made by the learned counsel for the petitioners, the presence of the petitioners in C.C.No.219 of 2017 is exempted during trial except on the date when they are supposed to be examined at the time of framing charges and on the date when examination under Section 313 of the Code will be taken up and also on all other dates as

and when the learned Magistrate directs them to appear, if their presence is necessary.

Accordingly, the present Criminal Petition is disposed of.

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

A. SHANKAR NARAYANA, J

13.12.2017
v v

