

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.12915 of 2013

ORDER:

This petition is filed seeking for quash of the proceedings against the petitioners, who are A2 and A3, in C.C.No.81 of 2013 on the file of the XIII Additional Chief Metropolitan Magistrate, Hyderabad. The offences alleged against the petitioners are under Sections 498-A & 406 IPC and Sections 4 and 6 of the Dowry Prohibition Act.

2. Heard the counsel for the petitioners, the Public Prosecutor appearing for the 1st respondent and Sri Chandra Shekhara Gupta Gelli, the counsel appearing through legal aid for the 2nd respondent.

3. A perusal of the complaint would show that there are specific allegations made against the petitioners. Though they are brother-in-law and uncle of the *de facto* complainant, the allegations against the petitioners are specific with reference to the dates also. It can also be seen that the *de facto* complainant did not rope in all the family members of her husband, but only chose to add these two petitioners along with her husband as accused.

4. For the above, it can be understood that *prima facie* the offences alleged against the petitioners are attracted. Hence, this Court is of the opinion that this is not a fit case to quash the proceedings against the petitioners. However, considering the reasons of the

petitioners' counsel to dispense with the presence of the petitioners before the trial Court, a direction is given to the trial Court not to insist upon the presence of the petitioners during trial unless it is very necessary for the proceedings.

5. Accordingly, the Criminal Petition is disposed of.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

September 12, 2018
v v

T. RAJANI, J

