

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No. 5156 OF 2018

ORDER:

This petition is filed under Section 482 of the Code of Criminal Procedure (for short, 'Cr.P.C.') to quash the proceedings in C.C.No. 1079 of 2018 on the file of the Court of learned XXIII Metropolitan Magistrate at Rajendranagar, R.R. District (for short, 'the Court below'), registered for the offences punishable under Sections 498-A, 406 and 420 of IPC.

2. After arguing the matter for awhile, learned counsel for the petitioners has requested this Court to dispense with the appearance of petitioner No. 2 before the Court below on medical grounds as she underwent cardiac surgery and not in a position even to move from bed.

3. In a petition of the present nature, this Court cannot exercise the power under Section 205 of Cr.P.C. or Rule 37 of Criminal Rules of Practice to dispense with attendance of accused. However, in view of the innocuous relief claimed by learned counsel for the petitioners, without touching the merits of the case, I deem it appropriate to permit petitioner No. 2 to file an application under Section 205 of Cr.P.C. or Rule 37 of Criminal Rules of Practice before the Court below to dispense with her attendance and on filing such application, the Court below is directed to dispose of the same within a week in accordance with law.

4. With the above direction, the criminal petition is disposed of. Pending miscellaneous petitions, if any, in this criminal petition shall stand closed in consequence.

Date: 14-06-2018.

JSK

M.SATYANARAYANA MURTHY, J.