

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.7396 of 2011

ORDER:

This petition is filed, by the petitioners, who are A2 and A3, seeking for quash of the proceedings in C.C.No.473 of 2008 on the file of Mahila Court cum XIII Additional Chief Metropolitan Magistrate, City Criminal Courts, Hyderabad. The offences alleged are under Sections 406 and 498A IPC and Sections 4 and 6 of Dowry Prohibition Act, 1961.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing for the 2<sup>nd</sup> respondent. None appears for the 1<sup>st</sup> respondent in spite of notice.

3. A perusal of the complaint shows that several allegations are made against the petitioners. Though the allegations are omni bus in nature, there are specific instances stated with regard to the harassment made by all the accused. There is also specific allegation made against A3 that she always sends the parents of the complainant by insulting them. There are allegations against the petitioners that they demanded money and presentations from the parents of the complainant.

4. Hence, in view of the nature of the allegations, this court opines that it is not a fit case for quash. However, the plea of the petitioners' counsel that the petitioners being old aged persons, their presence may be dispensed with, can be

considered and the Court below is directed not to insist upon the presence of the petitioners unless they are necessary for the proceedings of the case.

7. With the above observations, the Criminal Petition is dismissed. Interim stay granted by this court on 24.08.2011 in CrI.P.M.P.No.7758 of 2011, shall stand vacated.

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

September 12, 2018  
LMV



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T. RAJANI, J