

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.13683 OF 2013

ORDER:

1. This Criminal Petition, under Section 482 of Cr.P.C., is filed by the petitioners/accused seeking to quash the proceedings in C.C. No.396 of 2013, pending on the file of the Court of V Additional Judicial Magistrate of First Class, Nellore (for short, 'the trial Court'), registered for the offences punishable under Section 498-A r/w.34 of I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. Heard learned counsel for the petitioners and learned Public Prosecutor, appearing for the 1st respondent - State. There is no representation on behalf of Sri Sasanka Bhuvanagiri, learned counsel appearing for the 2nd respondent – *de-facto* complainant.

3. A perusal of the complaint shows that the petitioners herein are the parents-in-law of the *de-facto* complainant.

4. Learned counsel for the petitioners submits that the *de-facto* complainant and her husband set-up a separate family and, hence, the petitioners herein cannot be held to have any scope to harass the *de-facto* complainant.

5. However, the statement of the *de-facto* complainant itself shows that from few days after the marriage these petitioners along with A-1 started harassing her and later a separate family was set-up, in spite of which, the harassment of the *de-facto* complainant in the hands of the petitioners continued.

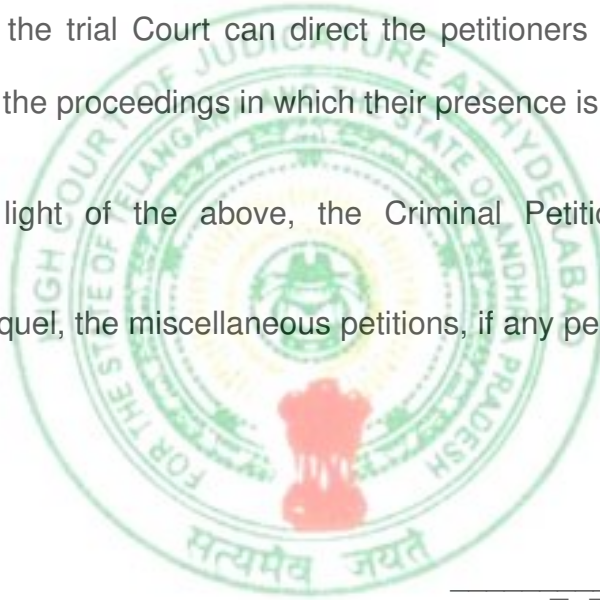
6. Hence, considering the above, this Court opines that this is not a fit case for quashing the proceedings pending against the petitioners in C.C. No.396 of 2013.

7. At this stage, learned counsel requests the Court to dispense with the presence of the petitioners.

8. In view of the above, this Court considers that the presence of the petitioners before the trial Court may not be insisted upon unless it is required for the proceedings of the case. Hence, in view of the above, the presence of the petitioners shall be dispensed with. But, however, the trial Court can direct the petitioners to be present on those dates of the proceedings in which their presence is required.

9. In the light of the above, the Criminal Petition is dismissed.

10. As a sequel, the miscellaneous petitions, if any pending, shall stand dismissed.



T. RAJANI, J

Date: 27.11.2018.
Dsh

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Date. 27.11.2018

DSH