

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.8803 of 2013

ORDER:

This criminal petition is filed for quash of the proceedings in C.C.No.147 of 2013, against the petitioner, who is A4, on the file of the III Additional Judicial First Class Magistrate, Rajahmundry. The offences alleged are under Sections 498-A read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

2. Heard the counsel for the petitioner and the learned Public Prosecutor, appearing for the first respondent. None appears for the second respondent in spite of notice.

3. The counsel for the petitioner submits that the allegations pertain to the year 2008-2009 and the complaint is filed in the year 2011.

4. A perusal of the complaint would show that there are allegations against the petitioner and other accused starting from the year 2004 which continued till 2011. Hence, it cannot be said that the allegations against the petitioner have become stale. All these aspects have to be gone into at the time of trial. Hence, this Court does not find it a fit case to quash the proceedings.

In the light of the above, the criminal petition is dismissed. However, considering the request of the counsel for the petitioner to dispense with the presence of the petitioner, the Court below is directed not to insist on the presence of the petitioner on every date of

adjournment except when it is required for the proceedings of the Court. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

November 8, 2018
DSK

T. RAJANI, J

