

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.8161 OF 2018

ORDER:

This petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.12 of 2017 on the file of the Judicial First Class Magistrate at Kattabommali, Srikakulam, for the offence punishable under Section 498-A IPC, against the petitioners, on various grounds.

2. During hearing, learned counsel for the petitioners requested this Court to dispense with the appearance of the petitioners on the dates of adjournment, except on the dates when their personal appearance is required. But, this Court cannot issue a direction to dispense with appearance of the petitioners exercising power under Section 205 Cr.P.C, as the Magistrate is competent to exercise such power and pass appropriate order taking into consideration the facts and circumstances and also the gravity of offence alleged.

3. In view of the request made by learned counsel for the petitioners, without touching the merits of the case, I deem it appropriate to permit the petitioners to file a petition under Section 205 Cr.P.C before the Judicial Magistrate of First Class, Kattabommali, Srikakulam District, to dispense with their appearance and, on filing such petition, the Judicial Magistrate of First Class, Katta Bommali, Srikakulam District, is directed to dispose of the same in accordance with law, within a week from the date of filing of such petition.

4. With the above direction, the Criminal Petition is disposed of without touching the merits of the case.

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

JUSTICE M.SATYANARAYANA MURTHY

02.08.2018

v v

