

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.8725 OF 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, is filed by the petitioners/A-2 to A-7 to quash the proceedings in C.C. No.78 of 2018, pending on the file of the Court of Judicial Magistrate of First Class, Amadalavalasa, Srikakulam District (For short, the trial Court'), registered for the offences punishable under Section 498-A of I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

During course of hearing, learned counsel for the petitioners, without going into merits of the case, requested this Court to dispense with personal appearance of the petitioners before the trial Court in C.C. No.78 of 2018 except on the dates of adjournments whenever their personal appearance is required.

But, this Court cannot exercise the power under Section 205 of Cr.P.C. and Rule 37 of Criminal Rules of Practice, while exercising power under Section 482 of Cr.P.C. However, liberty is given to the petitioners to file appropriate application before the trial Court and, in the event of filing such application, and after service of notice on the respondents, the learned Magistrate is directed to dispose of such application, in accordance with law, within a period of two (2) weeks from the date of filing such application.

Accordingly, with the above directions, the Criminal Petition is disposed of. As a sequel, miscellaneous petitions, if any pending, shall stand closed.

M.SATYANARAYANA MURTHY, J

Date: 20.08.2018.
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