

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No. 9086 OF 2018

ORDER:

This petition is filed under Section 482 of the Code of Criminal Procedure by the petitioners-accused Nos. 2 and 3 to quash the proceedings against them in C.C.No. 862 of 2017 on the file of the Court of IV Additional Chief Metropolitan Magistrate at Vijayawada (for short, 'the Court below') registered for the offence punishable under Section 498-A of IPC.

2. Though several grounds have been raised in the petition, at the hearing, learned counsel for the petitioners has requested this Court to dispense with appearance of the petitioners before the Court below. This Court in a petition of the present nature cannot issue such direction. However, liberty is given to the petitioners to file appropriate application before the Court below and on filing such application, the Court below is directed to dispose of the same within a week in accordance with law considering the principle laid down by the Apex Court in ***Rajesh Sharma Vs. State of UP***¹.

3. With the above direction, the criminal petition is disposed of. Pending miscellaneous petitions, if any, in this criminal petition shall stand closed in consequence.

Date: 28-08-2018.

JSK

M.SATYANARAYANA MURTHY, J.

¹ 2017 (2) ALT (CrI.) 393 (SC)