

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.12173 OF 2017

ORDER:

This petition is filed by the petitioners-A4 and A5 under Section 482 Cr.P.C. to quash the proceedings in PRC No.3 of 2016 on the file of the Judl. Magistrate of I Class, Podili, which took cognizance of the offences punishable under Sections 498-A and 302 r/w 34 IPC.

2. Heard learned counsel for the petitioners, learned Assistant Public Prosecutor representing the State and perused the record.

3. Having argued for some time, learned counsel for the petitioners would submit that the petitioner-A5 has got small children. She is residing at Vijayawada. She has to proceed to the trial Court at Podili, which is far away from the place of her residence and seeks indulgence of this Court to dispense with the personal attendance of the petitioner-A5 during hearing of the case.

4. There is a procedure to dispense with the personal attendance of the accused under Section 317 Cr.P.C. as and when it is required. If the petitioner-A5 is prevented from justifiable cause from attending the trial Court, she has to file an application under Section 317 Cr.P.C. and seek dispensation of the personal attendance. In view of the submission, in the event of filing an application by the petitioner-A5 before the trial Court, the trial Court may consider the said application in accordance with law.

5. With the above observation, the Criminal Petition is disposed of. Miscellaneous petitions, if any pending in this Criminal Petition shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 24-01-2018.

Hsd

