

THE HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.9151 of 2022

ORDER:

1. Heard the submission of the learned counsel for the petitioners as well as the learned Assistant Public Prosecutor who is representing the 1st respondent.

2. In the light of the limited request made, issuance of notice to the 2nd respondent is felt not necessary.

3. Seeking the Court to quash the proceedings that are pending against the petitioners, who are arrayed as Accused Nos.1 to 3, in C.C.No.280 of 2022, on the file of the Court of Judicial Magistrate of First Class, Mahabubnagar, the present Criminal Petition is filed.

4. Learned counsel for the petitioners submits that the petitioners have not committed any offences much less the offences punishable under Sections 498-A and 323 IPC and Sections 3 & 4 of Dowry Prohibition Act. Learned counsel further submits that the 2nd and 3rd petitioners are Government servants and they being innocent, are facing much difficulty in attending the Court for each and every adjournment and therefore, no further orders in this

Criminal Petition are required, except to protect the petitioners from personal appearance during the course of proceedings before the trial Court.

5. The learned Assistant Public Prosecutor did not raise any serious objection for granting such a relief to the petitioner Nos.2 & 3/Accused Nos.2 & 3.

6. Having regard to the said submission made and keeping in view the facts and circumstances of the case, this Court considers it desirable to order exemption from personal appearance of the petitioner Nos.2 & 3/Accused Nos.2 & 3 only during the course of trial proceedings.

7. Resultantly, the Criminal Petition is disposed of with the following directions:

(1)The Court of Judicial Magistrate of First Class, Mahabubnagar, is directed not to insist upon personal appearance of the petitioner Nos.2 & 3/Accused Nos.2 & 3 during the course of proceedings in C.C.No.280 of 2022 that is pending on the file of the said Court, in case the petitioner Nos.2 & 3/Accused Nos.2 & 3 are represented by an Advocate.

(2) However, it is made clear that the petitioner Nos.2 & 3/Accused Nos.2 & 3 shall make their appearance as

and when specifically directed by the trial Court to do so.

(3) No such relief is granted so far as the petitioner No.1/Accused No.1 is concerned.

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

Dr. JUSTICE CHILLAKUR SUMALATHA

Date:18.10.2022.
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