

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10675 OF 2022ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners-Accused Nos.2 to 4 to quash the proceedings against them in C.C.No.892 of 2015 pending on the file of Judicial Magistrate of First Class-cum-Special Mobile Court at Khammam. The offences alleged against the petitioners are under Section 498-A of Indian Penal Code (for short "IPC") and Sections 3 and 4 of Dowry Prohibition Act (for short "DP Act").

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. A perusal of record would reveal that, the marriage of 2nd respondent with the Accused No.1 was performed on 17.12.2020 and thereafter matrimonial disputes arose between them.

4. After arguing sometime, learned counsel for the petitioners confines his prayer to dispense with the personal appearance of the petitioners before the trial Court.

5. Having regard to the facts and circumstances of the case and keeping in view that the Accused Nos.2 and 3 are aged parents of Accused No.1 and Accused No.4 is unmarried sister of Accused No.1, this Criminal Petition is disposed off with the following directions:

i) The attendance of the petitioners – Accused Nos.2 to 4 is dispensed with in C.C.No.892 of 2015 pending on the file of Judicial Magistrate of First Class-cum-Special Mobile Court at Khammam, when represented by their counsel on record.

ii) The attendance of the petitioners is dispensed subject to filing an affidavit by the petitioners stating that in their absence the proceedings conducted by their counsel will not be disputed by them in any manner and shall not dispute their identity also.

iii) However, the petitioners shall appear before the learned Magistrate as and when their presence is required. In the event of the petitioners failure to appear when the Court directs, this order dispensing their attendance shall stand cancelled.

Miscellaneous applications pending, if any, shall stand closed.

K.SURENDER, J

Date: 01.12.2022
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