

**THE HON'BLE SRI JUSTICE K. SREENIVASA REDDY**

**Criminal Petition No.2478 of 2023**

**ORDER:**

This Criminal Petition, under Section 482 Cr.P.C., has been filed on behalf of the petitioners/A-2 and A-3, to quash the proceedings in C.C. No.4607 of 2021 on the file of the learned III Additional Junior Civil Judge, Tirupati.

2. A charge sheet has been filed against the petitioners and others for the offences punishable under Sections 498A, 494, 506 read with 34 IPC and 3 and 4 of the Dowry Prohibition Act, 1961.

3. Learned counsel for the petitioners, after arguing for some time, has confined his argument to the extent of dispensing with the presence of the petitioners herein before the trial Court.

4. On the other hand, learned Special Assistant Public Prosecutor appearing for 1<sup>st</sup> respondent-State contended that specific accusations have been made in the charge sheet as against the petitioners herein, and truth or otherwise of the said accusations has to be decided during the course of trial, hence, there are no grounds to quash the proceedings at this stage.

5. Heard. Perused the record.

6. Since the accusations that have been made as against the petitioners herein in the charge sheet are all disputed questions of fact, truth or otherwise of the said accusations has to be decided during the course of trial, and this Court, in a petition filed under Section 482 Cr.P.C., would not be in a position to conduct a roving enquiry into the disputed questions of fact and quash the proceedings at this stage. In view of the aforesaid facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioners herein.

7. However, in view of the facts and circumstances of the case and submissions made by the learned counsel for the petitioners, presence of the petitioners herein/A-2 and A-3 before the trial Court is dispensed with, except on those dates when the learned Magistrate feels that their presence is necessary.

8. Accordingly, the Criminal Petition is disposed of.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

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**K. SREENIVASA REDDY, J.**

01.08.2023  
DRK

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