

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1949 OF 2015

ORDER:

The petitioners/A.1, A.3 to A.6 have preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the order dated 10.08.2015 passed in CrI.M.P.No.4607 of 2014 in C.C.No.76 of 2014 on the file of the Judicial Magistrate of First Class, Special Mobile Court, Ongole, whereby the learned trial Judge dismissed the petition filed by the petitioners seeking discharge.

Heard and perused the material available on record.

Learned counsel for the petitioners submits that the petitioners are sleeping partners and that A.2 is the Managing Director of the firm, who is solely responsible for the conduct of the business of the said firm. He further submits that at the time of registration of firm itself, it is specifically mentioned that the A.2 is responsible for conduct of the business and as such, the Court below has erred in dismissing the petition seeking discharge of the petitioners.

Considering the facts and circumstances of the case and also in view of the submission of the learned counsel for the petitioners that A.2 is ready to face the trial before the Court concerned, the proceedings in C.C.No.76 of 2014 on the file of the Judicial Magistrate of First Class, Special Mobile Court, Ongole, Prakasam District, as against the petitioners/A.1, A.3 to A.6 is hereby quashed.

With the above observations, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

10.09.2015
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