

**THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY**

**CRIMINAL PETITION No.12197 of 2015**

**ORDER:**

This petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings against the petitioners/accused Nos.1 to 5 in C.C.No.187 of 2012 on the file of Additional Munsif Magistrate, Chirala.

At the time of arguments, learned counsel for the petitioners has sought permission of this Court to permit the petitioners to withdraw the criminal petition with a liberty to avail all the remedies available to them under law including filing of discharge petition. He further submitted that the presence of the petitioners 1, 2, 4 and 5 may be dispensed with before the trial Court on each and every date of adjournment.

Permission is granted.

Hence, the Criminal Petition is dismissed as withdrawn with a liberty to the petitioners to avail all the remedies available to them under law including filing of discharge petition, if charges are already not framed. There is no dispute with regard to the identity of the petitioners. Even if the presence of the petitioners 1,2, 4 and 5 is dispensed with, no prejudice would be caused to the second respondent. Hence, the presence of the petitioners 1, 2, 4 and 5, who are accused Nos.1, 2, 4 and 5 is dispensed with before the Court of Additional Munsif Magistrate, Chirala, on each and every date of adjournment. However, they shall appear before the trial Court as and when their presence is so required.

Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

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**T.SUNIL CHOWDARY, J**

Date: 23.11.2015

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