

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.3757 of 2015

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C by the petitioners/accused Nos.2 to A.5 to quash the proceedings in C.C.No.542 of 2014 on the file of II Additional Chief Metropolitan Magistrate, Vijayawada. 2. Heard the learned counsel for petitioners-A.2 to A.5 as well as the second respondent- State representing through the Public Prosecutor before ordering any notice to the first respondent/ *de facto* complainant before admission and perused the material on record.

3. For no material to quash the proceedings muchless to admit the application under Section 482 Cr.P.C., the petition is disposed of by giving liberty to the petitioners to raise all the issues while hearing on charges contemplated by Sections 239 and 240 Cr.P.C. before the trial Court and needless to say as the petitioners 3 and 4 are residents of Hyderabad and the proceedings are pending on the file of II Additional Chief Metropolitan Magistrate, Vijayawada. The petitioners are given liberty to file an application under Rule 37 of the Criminal Rules of Practice and Circular orders to permit one of the accused to represent the others for hearing unless to direct specifically where personal attendance of all of them is required and in such an event, the learned Magistrate shall consider and grant the same.

4. Consequently, miscellaneous petitions, if any, pending in this petition, shall stand disposed of.

Dr. B.SIVA SANKARA RAO J,

Date:2nd June, 2015

PNV