

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.13656 of 2015

ORDER:

This petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings against the petitioners/accused Nos.2 to 5 in C.C.No.244 of 2015 on the file of the Court of XIII Additional Chief Metropolitan Magistrate, Hyderabad.

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 liberty to avail all the remedies available to them under law including filing of a petition for discharge. Learned counsel further submitted that the petitioners/accused Nos.2 to 5 are facing much difficulty to attend the trial Court on each and every date of adjournment and hence, their presence before the trial Court may be dispensed with.

Permission is granted.

Hence, the Criminal Petition is dismissed as withdrawn with liberty to the petitioners to avail all the remedies available to them under law including filing of a petition for discharge, if charges are already not framed. Petitioners No.1 and 2/A2 and A3 are parents, petitioner No.3/A4 is brother and petitioner No.4/A5 is close relative of accused No.1. There is no dispute with regard to the identity of the petitioners/Accused Nos.2 to 5. Even if the presence of petitioners/A2 to A5 is dispensed with, no prejudice would be caused to the second respondent. Hence, the presence of the petitioners/A2 to A5 is dispensed with before the Court of XIII Additional Chief Metropolitan Magistrate, Hyderabad, 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.

T.SUNIL CHOWDARY, J

Date:22.12.2015

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