

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.10036 OF 2015

ORDER:

This Criminal Petition is filed by the petitioners/accused under Section 482 Cr.P.C seeking to quash the proceedings in C.C.No.66 of 2015 on the file of II Metropolitan Magistrate, Vijayawada.

Heard the learned counsel for the petitioners and the learned Public Prosecutor for the State.

Perused the material on record. As the material falls short for this Court to admit the application, this criminal petition is disposed of giving liberty to the petitioners to agitate their rights under Section 245(i) Cr.P.C. before the learned Magistrate concerned if no grounds to frame charge from the prosecution material (evidence) if necessary by cross examination or seek for discharge from the evidence on record vide **State of Orissa v. Debendranath Padhi**^[1].

Needless to say, if the petitioners file an application under Section 37 of Criminal Rules of Practice for one to represent others, the learned Magistrate shall hear and permit the same with necessary conditions of personal appearance, as and when required.

Accordingly, this Criminal Petition is disposed of.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:28-10-2015
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^[1] (2005)1 SCC 568