

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.9674 of 2015

ORDER:

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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.230 of 2013 on the file of Additional Judicial Magistrate of First Class, Guduru, Nellore District.

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 a petition for discharge. He also submitted that the presence of the petitioners 2 to 5 before the trial Court on each and every date of adjournment may be dispensed with.

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Hence, the Criminal Petition is dismissed as withdrawn with a liberty to the petitioners to avail all the remedies available to them under law including filing of discharge petition, if charges are already not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 2 to 5. Even if the presence of the petitioners 2 to 5 is dispensed with, no prejudice would be caused to the first respondent. Hence, the presence of the petitioners 2 to 5, who are accused Nos.2 to 5 is dispensed with in C.C.No.230 of 2013 before the Court of Additional Judicial Magistrate of First Class, Guduru, Nellore District, 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
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Date:10.12.2015

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