

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.13180 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.2 and 3 in C.C.No.166 of 2015 on the file of V Additional Judicial Magistrate of First Class, Kakinada, East Godavari 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 liberty to avail all the remedies available to them under law including filing of a petition for discharge. Learned counsel further submitted that the presence of the petitioners/Accused Nos.2 and 3 before the trial Court may be dispensed with on each and every date of adjournment.

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Hence, the Criminal Petition is dismissed as withdrawn with liberty to the petitioners to avail all the remedies available to them under law including filing of a petition for discharge, if charges are already not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. There is no dispute with regard to the identity of petitioners/A2 and A3. Even if the presence of petitioners/A2 and A3 is dispensed with, no prejudice would be caused to the second respondent. Hence, the presence of petitioners, who are accused Nos.2 and 3 is dispensed with before the Court of V Additional Judicial Magistrate of First Class, Kakinada, East Godavari 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:11.12.2015

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