

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.13149 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 3 in C.C.No.517 of 2012 on the file of I Additional Chief Metropolitan Magistrate, Visakhapatnam 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. He also submitted the presence of the petitioners 2 and 3 may be dispensed with before the trial Court 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Hence, the Criminal Petition is dismissed as withdrawn with liberty to the petitioners to avail all the remedies available to them under law including filing of a petition for discharge, if charges are already not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 2 and 3. Even if the presence of petitioners 2 and 3 is dispensed with, no prejudice would be caused to the second respondent. Hence, the presence of petitioners 2 and 3, who are accused Nos.2 and 3 is dispensed with before the Court of I Additional Chief Metropolitan Magistrate, Visakhapatnam 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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