

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.8357 of 2015

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973, seeking quashing of all further proceedings in C.C.No.40 of 2015 on the file of the II Additional Junior First Class Magistrate, Kovvur District in respect of the petitioner/A4. A charge sheet came to be filed against the petitioner and three others for the offences punishable under Sections 447, 379 read with Section 34 of IPC.

The case of the prosecution is that on 11.09.2013 at about 04.00 a.m. at Madduru Sand Ramp, Kovvur Mandal limits, accused Nos.1 to 4 were apprehended while they were illegally transporting sand in the lorry bearing No.AP 5W 3633 from the river Godavari by violating the promulgation orders issued by the Collector and District Magistrate, West Godavari District, Eluru and violating the provisions laid down under Section 22 of Mines and Minerals Act, 1957.

Though various grounds are raised by the learned counsel for the petitioner in the present Criminal Petition, but, having regard to the nature of allegations made, the learned counsel for the petitioner restricts his prayer seeking dispensation of the presence of the petitioner before the trial Court, as there is no dispute with regard to their identity. Learned Public Prosecutor submits that he has no objection for the same, since the identity of the petitioner is not in dispute.

Having regard to the circumstances stated above, the presence of the petitioner, who is A4 in C.C.No.40 of 2015 on the file of the II Additional Junior First Class Magistrate, Kovvur District is dispensed with except on the dates when his presence is specifically required by the trial Court.

Accordingly, the Criminal Petition is disposed of.

As a sequel thereto, Miscellaneous Petitions, if any, pending shall stand closed.

C. PRAVEEN KUMAR, J

13.10.2015

vhb