

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION NO.3745 OF 2016

ORDER:

This petition is filed under Section 482 Cr.P.C. to quash the proceedings against the petitioners-A1 and A2 in C.C.No.406 of 2015 on the file of the Special Judicial I Class Magistrate-cum-Special Mobile Court at Eluru, West Godavari District.

2. Learned counsel for the petitioners seeks permission of this Court to permit the petitioners to withdraw the petition with a liberty to avail remedies available to them under law. Permission is accorded.

3. Learned counsel for the petitioners further submitted that the presence of the 1st petitioner-A1 may be dispensed with before the trial Court on each and every date of adjournment.

4. There is no dispute with regard to the identity of the 1st petitioner. Even if the presence of the 1st petitioner-A1 is dispensed with, no prejudice would be caused to the 2nd respondent. Therefore, presence of the 1st petitioner-A1 in C.C.No.406 of 2015 on the file of the Special Judicial I Class Magistrate-cum-Special Mobile Court at Eluru, West Godavari District, is dispensed with on each and every date of adjournment. However, he shall appear before the trial Court as and when his presence is so required.

5. Accordingly, the Criminal Petition is dismissed as withdrawn granting liberty as prayed for. Miscellaneous petitions, if any pending, in this Criminal Petition shall stand closed.

T.SUNIL CHOWDARY, J

DATED: 18.03.2016.

Hsd