

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.2963 of 2010

ORDER:

This criminal petition is filed under Section 482 of Cr.PC to quash the proceedings against the petitioners/A1 to A3 in C.C. No.382 of 2009 on the file of the court of Additional Judicial Magistrate of First Class, Kavali, Nellore District.

2. The learned counsel for the petitioners seeks 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 petition for discharge, if charges are not already framed. She further submitted that the petitioner Nos.2 and 3 are facing much difficulty to attend the trial court on each and every date of adjournment and hence their presence before the trial court may be dispensed with. There is no dispute with regard to identity of petitioner Nos.2 and 3. Even if the presence of the petitioner Nos.2 and 3 before the trial court is dispensed with, no prejudice will be caused to the second respondent. Hence, the presence of petitioner Nos.2 and 3/A2 and A3 in C.C. No.382 of 2009 before the trial court on each and every date of adjournment is dispensed with. However, they shall appear before the trial court as and when their presence is so required.

3. With the above direction, the criminal petition is dismissed as withdrawn granting liberty as prayed for.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.

February 17, 2016.

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