

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.12679 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioners/accused Nos.1 and 2 seeking to quash the C.C.No.560 of 2013 on the file of the VI Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, for the offences under Section 353 read with Section 34 I.P.C.

Heard the learned counsel for the petitioners/accused and the learned Public Prosecutor and perused the material available on record.

On a perusal of the charge sheet, this Court is of the view that truth or otherwise of the allegations made against the petitioners can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.

In any event, considering the nature of allegations against the petitioner No.2/accused No.2, presence of the petitioner No.2/accused No.2 on each and every hearing before the trial Court is dispensed with, but he shall appear before the trial Court when the trial Court insists for his appearance for any specific purpose. Considering the nature of allegations against the petitioner No.1-accused No.1, the Criminal Petition is dismissed as far as petitioner No.1-accused No.1 is concerned. The petitioner No.1 – accused No.1 shall appear before the trial court during the course of trial.

The learned trial Court shall dispose of C.C.No.560 of 2013 as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of the order.

Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

07.09.2016

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