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THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

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CRL.P.NO.8683 OF 2016

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ORDER

This criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in PRC No.4 of 2016 in Cr.No.132/2015 on the file of Judicial First class Magistrate, Miryalguda, Nalgonda District, filed against the petitioner, who is A-2, for the offences punishable under Sections 147, 447, 326, 509 read with 149 IPC and Section 3(1)(x) of SC/ST (POT) Act, 1989.

Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

The learned counsel for the petitioner submitted that the petitioner is aged about 66 years and suffering from different ailments and the committal court is insisting on the presence of the petitioner on each and every date of listing of the matter and the petitioner is finding it difficult to attend the court and hence the presence of the petitioner may be dispensed with.

A perusal of the charge sheet reveals that specific allegations were made against the petitioner. The truth or otherwise of the allegations can only be decided during course of trial. I see no ground to interdict at this stage and quash the proceedings.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioner, the criminal petition is disposed of, directing the committal court not to insisting the presence of the petitioner/A-2 on each and every date of listing of the matter, unless the case is ready for committal.

Miscellaneous petitions pending if any, shall stand closed. No costs.

M.S.K.JAISWAL,J

DATE:21.06.2016
AVS