

THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

CRIMINAL PETITION No.13009 of 2016

ORDER:

The criminal petition is filed by the petitioners/A1 to A33, A35 to A46 under Section 482 Cr.P.C. to quash the proceedings in C.C.No.18 of 2016 on the file of the Judicial First Class Magistrate, Kothavalasa, Vizianagaram District, registered for the offences punishable under Sections 147, 148, 353 & 332 r/w.149 of IPC.

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

Specific allegations were made in the charge sheet against the petitioners. The truth or otherwise of the allegations can only be decided during course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I see no ground to quash the charge sheet.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioners, the Criminal Petition is disposed of, directing the Court below to proceed with the trial and dispose of the above case as expeditiously as possible, however, without insisting for the presence of the petitioners/A2 to A33, A35 to A46 for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose. It is made clear that the 1st petitioner/A1 shall continue to appear before the Court below throughout the trial.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAI SWAL,J

Date: 28.09.2016
Dsr