

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3205 OF 2016

ORDER:

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The petitioner-accused preferred the present Criminal Petition by invoking the provision under Section 482 of the Code of Criminal Procedure (in short 'Cr.P.C.') seeking to quash the proceedings in C.C.No.753 of 2012 on the file of the V-Additional Judicial Magistrate of First Class, Kakinada.

Heard and perused the material available on record.

The offences alleged against the petitioner are punishable under Sections 448, 354, 509 and 506 IPC. The de facto compliant is living separately from her husband along with her children and taking advantage of the same the petitioner used to harass her to satisfy his lust, and on the date of incident, he trespassed into her house and took away the sand and other material, and when she objected for the same, he tried to outrage her modesty and threatened her. A reading of charge sheet also reveals some allegations against the petitioner, truth of which can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.

At this stage, learned counsel for the petitioner prayed for dispensing with the presence of the petitioner before the trial Court.

In view of the above submission, the presence of the petitioner before the trial Court is dispensed with except on the dates of on which the learned trial Judge insists for his appearance. The petitioner shall be properly represented through a counsel before the trial Court.

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

RAJA ELANGO, J

March 11, 2016

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