

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5512 OF 2016

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ORDER:

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This petition is filed by the petitioners-A1 and A2 under Section 482 Cr.P.C. seeking to quash the proceedings against them in C.C.No.68 of 2016 on the file of the II Additional Judicial Magistrate of First Class, Madanapalli, Chittoor District.

Heard and perused the material available on record.

The petitioners are alleged to have committed the offence punishable under Section 189 r/w 34 IPC. It is alleged that L.W.1, who is a Bench clerk in II Additional Judicial First Class Magistrate, Madanapalli, received the solvencies of A1 and his elder brother through L.W.4, as sureties to the accused in Crime No.61 of 2015 registered for the offence punishable under Section 302 IPC and after verification, L.W.1 noticed that the said sureties have already stood as sureties previously in another crime and therefore, he rejected their solvencies and informed the same to A1 and A2. On the next day while L.W.1 was discharging his duties, A1 and A2 got the mobile of L.W.5 and A1 phoned to the Mobile of L.W.1 and threatened him with dire consequences.

Considering the facts and circumstances of the case and the allegations made against the petitioners, this Court is not inclined to grant the relief sought by the petitioners.

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

In view of the above submission, the presence of the petitioners before the trial Court is dispensed with except on the date of framing of charges, if any; on the date of examination under Section 313 Cr.P.C. and on the date of pronouncement of judgment. The petitioners are directed to be represented through a Counsel before the trial Court on all hearing dates.

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 19.4.2016

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DATED 19.4.2016

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