

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.12749 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner/accused No.7 seeking to quash the proceedings in S.C.No.58 of 2015 on the file of the Hon'ble Special Judge for trial of Cases under S.Cs. & S.Ts. (PoA), Visakhapatnam.

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

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

It is represented that this Court by order dated 27-08-2016 in Criminal Petition No.12379 of 2016 directed the learned Sessions Judge to proceed with the trial and dispose of S.C.No.58 of 2015 within a period of six months from the date of receipt of a copy of the order, however, without insisting for the presence of non-petitioners – A3 and A13 are concerned.

In that view of the matter, presence of the petitioner/accused No.7 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.

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

JUSTICE M.S.K.JAISWAL

08.09.2016

skmr

