

THE HONOURABLE SMT JUSTICE ANIS

CRIMINAL PETITION No.14118 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioners/A2, A3 and A14 seeking to quash the proceedings in C.C.No.24 of 2008 on the file of IV Metropolitan Magistrate at Bheeminipatnam, registered for the offences punishable under Sections 427, 447, 324, 506 and 147 IPC read with Section 149 IPC, against them.

2. Heard learned counsel for the petitioners/accused and learned Additional Public Prosecutor representing the State.

3. It is alleged in the charge sheet that due to land disputes, on the night of 19/20.01.2005, all the accused forming themselves into unlawful assembly criminally trespassed into the property in dispute, beat the de facto complainant and his family members with sticks causing bleeding injuries, destroyed the compound wall, huts and coconut plantation, thereby caused loss. Based on the complaint, the aforesaid case was registered against the accused.

4. Learned counsel for petitioners argued that the petitioners are innocent and they have not committed any offence.

5. Having regard to the facts and circumstances of the case and in view of the nature of offence, this Court is satisfied that the presence of petitioners/A2, A3 & A14 can be dispensed with.

6. In the result, the Criminal Petition is disposed of dispensing with the personal appearance of petitioners/A2, A3 & A14 in C.C.No.24 of 2008 on the file of IV Metropolitan Magistrate, Bheeminipatnam, However, they shall appear before the trial Court as and when directed by the trial Court.

Miscellaneous applications, if any, pending in this criminal petition shall stand closed.

ANIS,J

29th September, 2016
sj

