

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.P.No.6951 of 2016

ORDER

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This petition under Section 482 Cr.P.C. is filed by the petitioners/A2 and A3 seeking to quash the proceedings in DOR No.10/2009-10 of Visakhapatnam Range on the file of the IV Metropolitan Magistrate, Bheemunipatnam, registered for the offences punishable under Sections 20(i)(c) (iii)(vii)(x) of A.P.Forest Act, 1967 and under Section 52(d), 27(3), 29 of Wild Life (Protection) Act,1972 and under Sections 468 and 471 IPC, against them.

2. It is alleged in the charge sheet that on 10.05.2009, on information, the Divisional Forest Officer, Visakhapatnam along with his staff proceeded to Kommadi Village and found encroachment of reserve forest duly filling the peripheral trench by dumping with gravel besides destruction of Government plantation existed nearby and also for the distraction defaces of Cairn No.11 and removal of Cairn No.12 without giving scope for identification.

3. Heard and perused the material on record.

4. Since there are serious allegations mentioned in the charge sheet, the matter has to be decided after full fledged trial and therefore, this Court is not inclined to interfere with the impugned proceedings. At this stage, learned counsel for the petitioners confined his argument to the extent that the presence of the petitioners/A2 and A3 before the trial Court may be dispensed with. In view of the same, the presence

of the petitioners/A2 and A3 before the trial Court is dispensed with except on the dates whenever their presence is insisted by the trial Court and they shall be represented by their counsel.

5. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

RAJA ELANGO, J

29th April, 2016
sj