

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3869 OF 2015

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ORDER:

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This petition is filed by the petitioners-accused Nos.6 & 7 under Section 482 Cr.P.C. seeking to quash the proceedings against them in C.C.No.558 of 2010 on the file of the II Additional Judicial First Class Magistrate, Tanuku, West Godavari District.

Heard and perused the material available on record.

The petitioners are alleged to have committed the offence punishable under Sections 420, 406, 408 and 120-B r/w 34 IPC. It is alleged that the de facto complainant is running Orthopedic Hospital for about 12 years and in the month of March, 2003, he established super speciality Hospital at Tanuku and in the said hospital, some of the accused are his staff and in the month of December, 2005, they absconded from duties and on enquiry, the de facto complainant came to know that A1 to A5 used to collect higher fee from the patients and credit lesser amount in the account of the hospital. It is alleged that while A1 to A5 were performing duties in his hospital, A6 and A7 approached the injured patients in accident cases with the assistance of A1 to A5 and made them to believe that they will provide accident claims, and induced them as if they managed the de facto complainant to provide concession in the fee, and they obtained vakalats and signatures of the patients pertaining to the accident claims.

Considering the facts and circumstances of the case and the allegations made against the petitioners, this Court is not inclined to interfere with the proceedings in the above C.C.

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 petitioners-A6 and A7 before the trial Court is dispensed with except on the date of framing of charges, if any, and on the date of examination under

Section 313 Cr.P.C. and on the date of pronouncement of judgment in the above C.C. The petitioners are directed to be represented by their 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 : 30.3.2016

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DATED 30.3.2016

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