

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.1604 of 2016

ORDER:

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This petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings against the petitioner/accused No.2 in C.C.No.452 of 2015 on the file of the Court of Judicial Magistrate of First Class, Ramachandrapuram, East Godavari District.

At the time of arguments, learned counsel for the petitioner has sought permission of this Court to permit the petitioner to withdraw the criminal petition with liberty to avail the remedies available to him under law. Learned counsel further submitted that the petitioner is facing much inconvenience to attend the trial Court on each and every date of adjournment, hence, his presence before the trial Court may be dispensed with.

Permission is granted.

Hence, the Criminal Petition is dismissed as withdrawn with liberty to the petitioner to avail all the remedies available to him under law. There is no dispute with regard to the identity of the petitioner/Accused No.2. Even if the presence of the petitioner/A2 is dispensed with, no prejudice would be caused to the *de facto* complainant. Hence, the presence of the petitioner/A2 is dispensed with before the Court of Judicial Magistrate of First Class, Ramachandrapuram, East Godavari District, on each and every date of adjournment. However, he shall appear before the trial Court as and when his presence is so required.

Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

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T.SUNIL CHOWDARY, J

Date:11.02.2016
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