

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4133 OF 2016

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ORDER:

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This petition is filed by the petitioner-A1 under Section 482 Cr.P.C. seeking to quash the proceedings against him in C.C.No.100 of 2015 on the file of the III Additional Munsif Magistrate, Ongole.

Heard and perused the material available on record.

The petitioner is alleged to have committed the offence punishable under Sections 420 and 506 r/w 34 IPC. It is alleged that while the 2nd respondent was working as Manager in Kola Venkateswara Rao Private Limited, Petrol bunk, he got acquaintance with the petitioner, who is working as chargeman in the IOC. A2 is the nephew of A1. A1 and A2 induced the 2nd respondent by saying that they have close acquaintance with the superior officials of IOC and they will get an outlet transferred in the name of the 2nd respondent. Believing their version, the 2nd respondent paid Rs.10 lakhs to them. But the accused failed to keep up their promise and postponed the matter on one pretext or the other. Again, the accused took away Rs.5 lakhs and an application from the 2nd respondent by promising to get the allotment of the outlet in favour of the 2nd respondent. When the 2nd respondent verified in the internet, he did not find his name. When he demanded the accused to return the amount, the accused came in a drunken condition, abused him, his wife and children and threatened them.

Considering the facts and circumstances of the case and the allegations made against the petitioner, this Court is not inclined to grant the relief sought by the petitioner.

At this stage, the learned Counsel for the petitioner sought for dispensing with the presence of the petitioner before the trial Court.

In view of the above submission, the presence of the petitioner

before the trial Court is dispensed with except on the dates when his presence is specifically required by the trial Court. The petitioner is directed to be represented by a 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 : 28.3.2016
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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 28.3.2016

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