

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3124 OF 2016

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ORDER:
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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioner/accused seeking to quash the proceedings in C.C.No.460 of 2010 on the file of the III Additional Chief Metropolitan Magistrate at Gajuwaka, Visakhapatnam District.

2. Heard and perused the material available on record.
3. The offence alleged against the petitioner is punishable under Section 420 I.P.C.
4. Admittedly, after duly investigating into the complaint lodged by the *de facto* complainant, the police filed charge sheet against the petitioner. A reading of the charge sheet also reveals some allegations against the petitioner, truth of which can be ascertained only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.
5. After arguing for sometime, learned counsel for the petitioner while not pressing for the main prayer, confined his arguments only to the extent of dispensing with the presence of the petitioner before the trial Court.
6. Considering the facts and circumstances of the case and in view of the submission of the learned counsel, the presence of the petitioner before the trial Court is dispensed with except on the dates on which the learned Magistrate insists for his appearance. The petitioner shall be properly represented through his counsel before the trial Court.
7. Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

10.3.2016
AMD

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AMD