

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5618 OF 2016

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ORDER:
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This petition is filed by the petitioners-accused Nos. 1 and 2 under Section 482 Cr.P.C. seeking to quash the proceedings against them in C.C.No.22 of 2016 on the file of the I Additional Junior Civil Judge-cum-Judicial Magistrate of First Class, Bhimavaram.

Heard and perused the material available on record.

The petitioners are alleged to have committed the offence punishable under Sections 448 and 427 r/w 34 IPC. It is alleged that the 2nd respondent took the house belonging to his brother-in-law-1st petitioner on rent about 20 years back and when there was a threat of dispossession, the 2nd respondent filed a civil suit and obtained interim injunction. While so, on 25.4.2015, the petitioners illegally trespassed into the house of the 2nd respondent by breaking open the lock, and took photographs.

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

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 the petitioners before the trial Court is dispensed with except on the date of framing of charges, if any; on the date of examination under Section 313 Cr.P.C. and on the date of pronouncement of judgment. The petitioners are directed to be represented through 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 : 20.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 20.4.2016

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