

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.1281 of 2016

ORDER:

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This petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings against the petitioners/accused Nos.2 and 3 in C.C.No.1360 of 2015 on the file of the Court of Additional Judicial Magistrate of First Class, at Kurnool, Kurnool District.

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

Permission is granted.

Hence, the Criminal Petition is dismissed as withdrawn with liberty to the petitioners to avail all the remedies available to them under law including filing of a petition for discharge, if charges are already not framed. There is no dispute with regard to the identity of the petitioners/Accused Nos.2 and 3. Even if the presence of the petitioners/A2 and A3 is dispensed with, no prejudice would be caused to the second respondent. Hence, the presence of the petitioners/A2 and A3 is dispensed with before the Court of Additional Judicial Magistrate of First Class, at Kurnool, Kurnool District, on each and every date of adjournment. However, they shall appear before the trial Court as and when their 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:05.02.2016

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