

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.10284 of 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioners/accused Nos.1 to 7 seeking to quash the C.C.No.89 of 2016 on the file of the Judicial Magistrate of First Class, Railway Koduru, for the offences under Sections 448, 323, 509, 506 read with Section 34 of I.P.C.

Heard the learned counsel for the petitioners/accused Nos.1 to 7 and the learned Public Prosecutor and perused the material available on record.

On a perusal of the charge sheet, this Court is of the view that truth or otherwise of the allegations made against the petitioners can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.

In any event, considering the nature of allegations against the petitioner Nos.2 to 7 - accused Nos.2 to 7, presence of the petitioner Nos.2 to 7 - accused Nos.2 to 7 on each and every hearing before the trial Court is dispensed with, but they shall appear before the trial Court when the trial Court insists for their appearance for any specific purpose.

Considering the nature of allegations against the petitioner No.1-accused No.1, the Criminal Petition is dismissed as far as petitioner No.1-accused No.1 is concerned. The petitioner No.1 – accused No.1 shall appear before the trial court during the course of trial.

Accordingly, the Criminal Petition is disposed of. The learned trial Court shall dispose of C.C. No.89 of 2016 as expeditiously as possible. Miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

18.07.2016

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