

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4038 OF 2016

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ORDER:
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This Criminal Petition is filed by the petitioners-A1 to A4 seeking to quash the proceedings against them in C.C.No.288 of 2013 on the file of the III Additional Munsif Magistrate, Ongole.

Heard and perused the material available on record.

The petitioners are alleged to have committed the offence punishable under Sections 420, 109 and 120(b) IPC. It is alleged that A1 sold the land admeasuring Ac.5.36 cents in Sy.No.68/5 and 61/3 situated at Maddiralapadu village under a registered sale deed dated 29.4.2011 to the de facto complainant. In the sale deed, A1 mentioned that he purchased the said land from A2 through a registered document. Later, the de facto complainant came to know that the land in Sy.No.68/5 admeasuring Ac.4.03 cents is originally Inam Land and it was converted into Ryotwari patta and the said land was allotted to Chinthala Sundara Rao and after his demise, his children came into possession and they sold the same to one Nalluri Hanumantha Rao. Soon after the demise of Nalluri Hanumahtha Rao, the said land is in possession of his wife-L.W.5. By suppressing all the facts, A1 executed a sale deed in favour of the de facto complainant.

Considering the facts and circumstances of the case and the averments in the charge sheet, 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.

Considering the above submission, the presence of petitioners No.2 to 4-A2 to A4 before the trial Court is dispensed with, except on

the dates when their presence is specifically insisted by the trial Court.
Petitioners 2 to 4 are 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 : 23.3.2016
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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 23.3.2016

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