

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 11353 of 2016

DATED 3RD AUGUST, 2016

BETWEEN

M. Siva Kumar @ Babulu

...Petitioner/A7

And

The State of Andhra Pradesh,
Rep. by SHO, Kirlampudi PS,
Rep. by Public Prosecutor,
High Court of AP, Hyderabad and anr.

...Respondents

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 11353 of 2016

ORDER:

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The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in C.C.No. 24 of 2016 on the file of the learned Judicial First Class Magistrate, Prathipadu, East Godavari District, registered for the offences punishable under Sections 326,323 read with 34 IPC.

Heard the learned counsel appearing for the petitioner/A7 and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made in the complaint against the petitioner. The truth or otherwise of the allegations can only be decided during course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I see no ground to quash the proceedings in CC No. 24 of 2016 on the file of the learned Judicial First Class Magistrate, Prathipadu, East Godavari District.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioner, the Criminal Petition is disposed of, directing the Court below to proceed with the trial, however, without insisting for the presence of the petitioner/A7 for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence. No order as to costs.

JUSTICE M.S.K. JAISWAL

DATED 3RD AUGUST, 2016.
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