

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.3325 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/A-2 in C.C.No.163 of 2015 on the file of Additional Judicial First Class Magistrate, Chodavaram, Visakhapatnam District arising out of Crime No.42 of 2012 of Devarapalli Police Station registered for the offences punishable under Sections 403, 406, and 420 IPC.

Heard and perused the material on record.

The offences alleged against the petitioners are punishable under Sections 403, 406 and 420 IPC. Admittedly, after duly investigating into the complaint lodged by the *de facto* complainant, the Police filed charge sheet against the petitioner and other accused.

A reading of charge sheet also reveals some allegations against the petitioner, the truth of which can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.

In any event, considering the nature of allegations wherein the question of identity of the accused does not arise, presence of the petitioner before the trial Court is dispensed with except on the dates of framing of charges and examination under Section 313 Cr.P.C. However, the petitioner shall be properly represented through their counsel before the trial Court.

Accordingly, the criminal petition is disposed of. As a sequel thereto, miscellaneous petitions, if any, pending, shall

stand closed.

Date: 15-03-2016

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RAJA ELANGO, J