

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2005 OF 2016

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ORDER:

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This petition is filed by the petitioners-accused under Section 482 Cr.P.C. seeking to quash the proceedings against them in C.C.No.272 of 2014 on the file of the Judicial First Class Magistrate, Bichkunda.

The petitioners are alleged to have committed the offence punishable under Sections 417 and 420 IPC.

It is alleged that the 1st petitioner purchased Soya from the farmers of Mishan Kallali village in December, 2013 with an assurance that he will make payment within three or four days. But he did not pay. When all the farmers approached the 1st petitioner, he told them that he has not having money at present. The family members of the 1st petitioner i.e., petitioners 2 to 6 told the farmers that they will make payment by selling their land, but so far they did not pay the amount.

Considering the facts and circumstances of the case and the nature of the allegations, 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-accused before the trial Court.

In view of the above submission, the presence of petitioners 2 to 6- before the trial Court is dispensed with except on the date of framing of charges, on the date of their examination under Section 313 Cr.P.C., and on the date of judgment and also on the dates when their presence is insisted by the trial Court. The 1st petitioner is directed appear on all hearing dates. He is also directed to represent petitioners 2 to 6 in the above C.C., on all hearing dates.

With the above directions, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand

closed.

JUSTICE RAJA ELANGO

Date : 18.2.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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CRIMINAL PETITION No.1998 OF 2016

DATED 18.2.2016

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