

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.13923 OF 2016

ORDER:

The present petition is filed to quash the proceedings in C.C.No.6 of 2015 on the file of II Additional Judicial Magistrate of First Class, Kakinada, East Godavari District, registered against the petitioner herein, arrayed as accused No.5, and others alleging that the petitioner has committed the offences punishable under Sections 120-B, 419, 420, 406, 468 and 471 read with 34 I.P.C., along with accused Nos.1 to 4 and 6 to 8.

2. The main allegations levelled against the accused, more particularly, the present petitioner, are that accused Nos.1 to 3, to make wrongful gain, impressing upon the prospective students pursuing technical courses that they have good contacts with accused Nos.4 to 8, who are the officials in I.B.M., Bangalore and MPHASIS, Bangalore, conducted interviews and taken the amounts and even supplied false placement orders to the students.

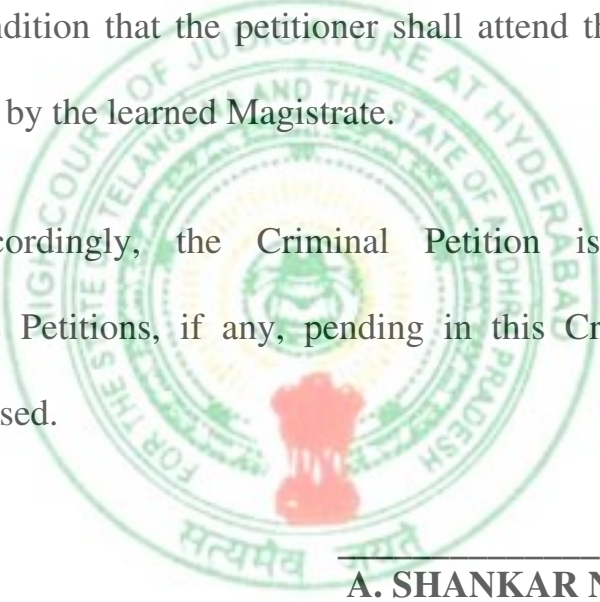
3. Learned counsel for the petitioner would submit that the petitioner is employed at Chennai and there is no concrete material against him to connect his complicity in the commission of offence. He pleads lastly, that the presence of petitioner be dispensed with during trial of the Calendar Case, as it would be difficult to the petitioner to travel from Chennai to Kakinada for every date of adjournment.

4. Learned Additional Public Prosecutor would represent that the request to dispense with the presence of petitioner can be acceded to.

5. The only factor that weighs is the distance between Chennai and Kakinada, which the petitioner has to travel. In that view of the matter, the presence of the petitioner is dispensed with during the trial proceedings in C.C.No.6 of 2015 on the file of II Additional Judicial Magistrate of First Class, Kakinada, East Godavari District, however, subject to condition that the petitioner shall attend the Court as and when directed by the learned Magistrate.

6. Accordingly, the Criminal Petition is disposed of. Miscellaneous Petitions, if any, pending in this Criminal Petition, shall stand closed.

September 28, 2016.
MD

A. SHANKAR NARAYANA, J